

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

WP(C).No. 32496 of 2015 (J)

PETITIONER :

**SIJU MATHEW, AGED 38 YEARS,
S/O. MATHEW, CHALADI HOUSE, P.O. KALOOR
KATHRIKADAVU DESAM, ELAMKULAM VILLAGE,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.P.G.SURESH
SRI.G.SUDHEER (THURAVOOR)
SRI.RAJAN VISHNURAJ
SRI.V.HARISH**

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED THROUGH THE SECRETARY
DEPARTMENT OF KERALA WATER AUTHORITY,
SECRETARIAT, THIRUVANANTHAPURAM-695001.**
- 2. THE ASSISTANT EXECUTIVE ENGINEER
KERALA WATER AUTHORITY, SUB DIVISION, KALOOR
COCHIN, ERNAKULAM DISTRICT-682017.**
- 3. THE ASSISTANT ENGINEER
KERALA WATER AUTHORITY, SUB DIVISION, KALOOR
COCHIN-17, ERNAKULAM DISTRICT-682017.**

**BY GOVERNMENT PLEADER SRI. BIJU MEENATTOOR
BY ADV. SRI.GEORGE MATHEW, SC, KERALA WATER AUTHORITY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-11-2015, ALONG WITH WPC. 32504/2015, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF OCCUPANCY CERTIFICATE DATED 19.6.2014 ISSUED BY THE COCHIN CORPORATION IN FAVOUR OF THE PETITIONER.

EXHIBIT P2: TRUE COPY OF THE OWNER SHIP CERTIFICATE ISSUED BY THE COCHIN CORPORATION DATED 20.8.2014 FOR THE BUILDING NO.348-C(321-C) SITUATED DIVISION NO.36(64) OF CORPORATION.

EXHIBIT P3: THE TRUE COPY OF THE APPLICATION FOR WATER SUPPLY SERVICE NEW CONNECTION SUBMITTED BY THE PETITIONER DATED 23.2.2015 VIDE REGISTRATION NO.JC 20514 FOR THE BUILDING NO.348C (321-C OLD)

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A. MUHAMED MUSTAQUE, J

**W.P.(C).Nos. 32496 &
32504 of 2015**

Dated this the 13th day of November, 2015

JUDGMENT

The petitioners applied for water connection. They obtained a building permit. The total plinth area of the building permit is 1072.32 square metres. The petitioners submit that they want the water connection only in respect of 2nd and 3rd floor having total plinth area of 520 square metres. It is submitted that they have no intention to extend the water connection to any other area other than 2nd and 3rd floor.

2. It is submitted by the learned Standing Counsel that the petitioners request have been rejected by the Water Authority, taking note of the fact that the total plinth area of the building permit is 1072.32 square metres. As per the Regulations, the petitioners can be given only common Street Main Extension (SME).

3. It is apparent that the Water Authority has taken entire plinth area for the supply of water connection.

4. The petitioners confine their requirement for consumption and supply water connection to the 2nd and 3rd floor. In that view of the matter, the petitioners shall file undertaking in the form of affidavit before the Water Authority to the effect of the proposed consumption is only to the 2nd and 3rd floor. Based on undertaking and on filing a fresh application in this regard, water connection shall be given to the petitioners in accordance with law. However, if it is found that the petitioners are misusing the water connection to the entire area, the Water Authority shall disconnect the entire supply to be given to the petitioners.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE