

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

WP(C).No. 33716 of 2014 (S)

PETITIONER :

THAMPI SUBRAMANIAN, AGED 33 YEARS,
S/O.SUBRAMANIAN, 18/1172, ESI ROAD,
PALLURUTHY, KOCHIN - 682 006.

BY ADVS.SRI.A.G.BASIL
SRI.P.K.SEBASTIAN

RESPONDENTS :

1. STATE OF KERALA, REPRESENTED BY SECRETARY TO WATER RESOURCES (WATER SUPPLY DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. KERALA WATER AUTHORITY, REPRESENTED BY ITS CHAIRMAN, 'JALABHAVAN', THIRUVANANTHAPURAM - 695 033.
3. EXECUTIVE ENGINEER, KERALA WATER AUTHORITY, PH DIVISION, ERNAKULAM, KOCHI - 682 016.
4. ASSISTANT EXECUTIVE ENGINEER, KERALA WATER AUTHORITY, KARUVELIPPADY, KOCHI - 682 005.
5. DISTRICT MEDICAL OFFICER, ERNAKULAM DISTRICT GENERAL HOSPITAL CAMPUS, PARK AVENUE ROAD, KOCHI - 682 011.
6. DISTRICT COLLECTOR, ERNAKULAM, CIVIL STATION, KAKKANAD, PIN - 682 030.

R1, R5 & R6 BY SPL.GOVERNMENT PLEADER, SMT. GIRIJA GOPAL
R2 TO R4 BY ADV. SRI.JOSEPH JOHN, SC, KERALA WATER AUTHORITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : TRUE COPY OF THE PAPER REPORT APPEARED IN MATHRUBHUMI DAILY DATED 05.11.2014 WITH REGARD TO THE MARCH OF HOUSE-WIVES IN WESTERN KOCHI, DEMANDING SUPPLY OF ADEQUATE QUANTITY OF DRINKING WATER TO THEM.

EXT.P1(A) : TRUE COPY OF ENGLISH TRANSLATION OF EXT.P1.

EXT.P2 : TRUE COPY OF A PAPER REPORT APPEARED WITH REGARD TO THE SHORT SUPPLY OF DRINKING WATER AND HOUSE WIVES COLLECTING WATER FROM THE TANKER LORRIES INTO THEIR VESSELS APPEARED IN THE INDIAN EXPRESS ON 14.04.2014.

EXT.P3 : TRUE COPY OF THE REPORT APPEARED IN THE HINDU DAILY DATED 28.03.2014 WITH REGARD TO THE DHARNA CONDUCTED BY THE WOMEN-FOLK FROM VYPEEN ISLAND.

EXT.P4 : TRUE COPY OF THE MEDICAL INSPECTION REPORT DATED 22.09.2014 SUBMITTED BY THE 6TH RESPONDENT, MEDICAL OFFICER.

EXT.P4(A) : TRUE COPY OF THE ENGLISH TRNASLATION OF EXT.P4.

EXT.P5 : TRUE COPY OF THE LETTER NO.C2-16345/2014 DATED 09.09.2014 SENT BY THE 6TH RESPONDENT TO THE 3RD RESPONDENT.

EXT.P6 : PHOTOGRAPHS OF THE OVERHEAD WATER TANKS OF KERALA WATER AUTHORITY AT PALLURUTHY, KOCHI.

EXT.P7 : TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT APPEARED IN KERALA HIGH COURT CASES, JUDGMENT DATED 2007(1) KHC 1 - SHAJIMON JOSEPH AND ORS. V. STATE OF KERALA AND ORS.

EXT.P8 : TRUE COPY OF THE JUDGMENT DATED 21.11.2013 IN WP(C) NO.1417/2011 ROSY ARAKKAL V. STATE OF KERALA AND ORS., REPORTED IN 2013(4) KHC 898.

RESPONDENTS' EXHIBITS :

NIL

/TRUE COPY/

PA TO JUDGE

ASHOK BHUSHAN, Ag.C.J. & A.M. SHAFFIQUE, J.

W.P.(C) No. 33716 OF 2014

Dated this the 10th day of February, 2015

JUDGMENT

Ashok Bhushan, Ag.C.J.

Heard learned counsel for the petitioner. This writ petition is filed as a Public Interest Litigation, raising a grievance that sufficient quantity of drinking water is not provided to the people of western Kochi. Prayer has been made in the writ petition directing respondents 3 and 4 to supply sufficient quantity of drinking water to the people of western Kochi.

2. This Court granted time to the Kerala Water Authority to file counter affidavit. Counter affidavit has been filed by respondents 2, 3 and 4. In paragraphs 6 and 7 various steps taken by the Water Authority have been mentioned including the quantity of water being supplied. Reference of cleaning of water tanks has also been made. It has further been stated that work for replacing of old and damaged pipes in Fort Kochi, Mattancherry and Thoppumpady area are under progress and a new 100 mld capacity water supply scheme

under the JNNRUM project is nearing completion. From the averments made in the counter affidavit, especially paragraphs 6 and 7, it is clear that the Kerala Water Authority has taken substantial steps for reducing water scarcity to the people of western Kochi. Since steps have already been taken, we see no reason to issue any direction in the matter. We, however, observe that the Kerala Water Authority shall complete the steps as stated in the counter affidavit as expeditiously as possible.

With the above observation, the Writ Petition is closed.

**Ashok Bhushan,
Acting Chief Justice.**

**A.M. Shaffique,
Judge.**