

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

WP(C).No. 36993 of 2015 (Y)

PETITIONER(S) :

1. INDUCHOODAN,
S/O.RAMAN BHATTATHIRIPPAD, H.NO.34/1313-B1,
ST.GEORGE LPS ROAD, KARIYAPPILLY LANE, EDAPPALLY.P.O.,
KOCHI-682 024.
2. SUSEELA,
W/O.RAMAN BHATTATHIRIPPAD, H.NO.34/1313-B1,
ST.GEORGE LPS ROAD, KARIYAPPILLY LANE, EDAPPALLY.P.O.,
KOCHI-682 024.

**BY ADVS.SRI.ASP.KURUP
SRI.SADCHITH.P.KURUP**

RESPONDENT:

**THE ASSISTANT ENGINEER,
KERALA WATER AUTHORITY,
WATER WORKS SECTION NO.1,
KALOOR, KOCHI-682 017.**

BY SRI.GEORGE MATHEW, SC, KERALA WATER AUTHORITY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 36993 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 TRUE COPY OF OCCUPANCY CERTIFICATE DATED 18.12.2014 ISSUED BY CORPORATION OF COCHIN
- P2 TRUE COPY OF APPLICATION DATED 15.1.2015 GIVEN BY PETITIONERS TO RESPONDENT
- P3 TRUE COPY OF ORDER DATED 24.3.2015 ISSUED BY CORPORATION OF COCHIN
- P4 TRUE COPY OF LETTER DATED 21.8.2015 ISSUED BY RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.S.TO JUDGE

sts

A.Muhamed Mustaque, J.

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W.P.(C) No.36993 of 2015

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Dated this the 17th day of December, 2015.

JUDGMENT

1. Petitioners applied for water connection. Their application was rejected for the reason that, since there are 10 residential units, water connection to the building can be drawn only from a main pipe having 110 mm.
2. Petitioners case is that the multi-storied building consists of nine residential units only and one unit is proposed to be converted as a commercial one. It is also submitted that nine units will have the actual plinth area of less than 10,000 sq.mtr.
3. Learned Standing Counsel would submit that the apartment consists of ten units and the total plinth area will be more than 10,000 sq.mtr.
4. This court is of the view that the petitioners shall file an affidavit before the respondent and also necessary proof to show that the

actual unit involved is only nine and the plinth area will be less than 10,000 sq.mtr. If the petitioners file a representation along with an affidavit and proof of documents to show that their residential units will not exceed 10 units and also less than 10,000 sq.mtr., the respondent shall consider the same, in accordance with law.

5. It is made clear that the respondent need to consider the application only on being satisfied that the proof of documents are genuine and has not exceeded 10 units and less than 10,000 sq.mtr. plinth area.

Writ petition is disposed of as above.

Muhamed Mustaque, Judge.

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