

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

Friday, the 13th day of October 2023 / 21st Aswina, 1945

WP(C) NO. 41159 OF 2022 (T)

PETITIONER:

SYAMA M, AGED 51 YEARS,

!

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001
2. KERALA STATE DISASTER MANAGEMENT AUTHORITY, (KSDMA) REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER (EX-OFFICIO), CHIEF SECRETARY, KERALA. VIKAS BHAVAN.P.O, PIN - 695033
3. THE SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
4. THE SECRETARY TO GOVERNMENT, PUBLIC WORKS DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
5. DISTRICT DISASTER MANAGEMENT AUTHORITY (DDMA), PATHANAMTHITTA DISTRICT, REPRESENTED BY ITS CHAIRPERSON, DISTRICT COLLECTOR, PATHANAMTHITTA COLLECTORATE., PATHANAMTHITTA DT., PIN - 689645
6. PROJECT DIRECTOR, KERALA STATE TRANSPORT PROJECT (KSTP), TC 11/339. SREEBALA BUILDING, KESTON ROAD, NANTHANCODE, KOWADIYAR. P.O, THIRUVANANTHAPURAM, PIN - 695003
7. CHIEF ENGINEER, KERALA PUBLIC WORKS DEPARTMENT, KERALA STATE TRANSPORT PROJECT (KSTP) JAGAD BUILDING, KESTON ROAD, NANTHANCODE, KOWADIYAR. P.O, THIRUVANANTHAPURAM, PIN - 695003
8. EXECUTIVE ENGINEER, KERALA STATE TRANSPORT PROJECT (KSTP), PONKUNNAM, KANJIRAPPALLY, KOTTAYAM DISTRICT., PIN - 686506
9. ADDL.R9. KONNI GRAM PANCHAYAT, REPRESENTED BY ITS SECRETARY, KONNI, KONNI.P.O., PATHANAMTHITTA DISTRICT, PIN - 689691. [ADDL.R9 IS IMPEADED AS PER ORDER DATED 20/01/2023 IN I.A-1/23 IN WP(C) 41159/22]

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the 8th respondent to comply the Exhibit P3, pending disposal of the Writ Petition (Civil).

This writ petition again coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and this Court's order dated 29.09.2023 and upon hearing the arguments of SRI.JESTIN MATHEW, Advocate for the petitioner, M/S.V.K.SUNIL , STANDING COUNSEL for Addl.R9 , Sri.Manoj Kumar - Government Pleader and of SRI.P.K.BABU, SPECIAL GOVERNMENT PLEADER, the Court passed the following:

ORDER

Chief Engineer (PWD), appeared online and she is represented by Sri.Manoj Kumar - Government Pleader.

Senior Government Pleader submitted that rectificatory steps have been taken to ensure that there is no water - logging in the petitioner's house and that this is being done in conjunction with the Panchayat, since a culvert constructed by them, as also a drain blocked by them will have to reconstructed or repaired, as the case may be.

I, therefore, adjourn this matter to be called on 06/11/2023; within which time, R2 will file a report before this Court, ascertaining whether there is water logging in the petitioner's residence. I make it clear that the report of R2 is to find any defect in rectifying the issue, necessary action will be taken against the Competent Authorities - both of the PWD and the Panchayat.

Hand Over.

Sd/- DEVAN RAMACHANDRAN, JUDGE

