

**DEVAN RAMACHANDRAN, J.**

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**W.P.(C).Nos.23911/2018, 24027/2021**

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**17185/2022**

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**Dated this the 16<sup>th</sup> day of September, 2022**

**ORDER**

The events of 22.08.2022 was an eye opener not only for the City of Kochi, but for this Court also.

2. In spite of the various orders that this Court has been issuing over the years, heavy rainfall on that day submerged the city like never before - even worse than what we experienced in the year 2018.

3. Such events show the rather tenuous and delicate nature of the city's infrastructure, particularly its drainage system; and no excuse would suffice, particularly to an ordinary citizen, who has lost everything in the ravaging floods.

4. The learned Amicus Curiae - Sri.Sunil Jacob Jose, has been kind enough to file a report dated 15.09.2022, making various suggestions, particularly in paragraphs 9 and 10 of the same.

5. It is clear from real experience that one Agency alone cannot undertake, or be trusted with the resolution of the issues, particularly when rains are very heavy.

6. I am, therefore, of the firm view that a Committee of the all stakeholders will have to be formed, to be headed by the District Collector, because the said officer is also the Chairperson

of the District Disaster Management Authority.

7. In fact, all the learned counsel appearing in these matters, including the learned Senior Government Pleader, affirmed this.

8. I, therefore, direct that the District Collector shall convene a Committee of the competent officials of the Corporation of Kochi, Cochin Metro Rail Limited, Cochin Smart Mission Limited (CSML), Kerala Water Authority (KWA), Southern Railway, the learned Amicus Curiae - Sri.Sunil Jacob Jose and the Superintending Engineer of the Minor Irrigation Department - who is the head of the Operation Breakthrough Team.

9. The Committee as afore is hereby declared to be constituted and the District Collector shall convene its first meeting not later than 24.09.2022.

10. The preliminary report with respect to the drainage system of the city shall be made available to this Court not later than 28.09.2022.

11. In the meanwhile, since the primary responsibility of maintaining drains and the drainage system is on the

Corporation of Kochi, their earlier method of cleaning it as a pre-monsoon endeavour will have to now cease and a systematic and methodical regular cleaning will have to be undertaken.

12. For this purpose, this Court, at the moment, suggests that such cleaning be done every two or three months, which of course, the aforementioned Committee will also deliberate upon and make available their opinion on the same in the resultant report.

13. It also goes without saying that every concern voiced by the learned Amicus Curiae in his report dated 15.09.2022, including with respect to the drainage system created by the CSML, will also be deliberated upon and reparatory measures or suggestions be made available by the next posting date.

### **P&T colony**

It is reported even today that the work of the new construction is lagging and going at a snail's pace. The GCDA puts fair amount of blame for this on the contractor.

2. I request the learned Amicus Curiae - Sri.Sunil Jacob Jose to find time to file a report on this construction also, so that

this Court can then decide whether any action against the contractor can be warranted.

3. It is requested that such report be placed on record by the next posting date.

4. Needless to say, the learned Amicus Curiae is also at liberty to contact the contractor and obtain inputs from them also.

Post on 29.09.2022.

Sd/-

**DEVAN RAMACHANDRAN,  
JUDGE**

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