IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K. BABU

FRIDAY, THE 4TH DAY OF APRIL 2025 / 14TH CHAITHRA, 1947

WP(C) NO. 16901 OF 2021

PETITIONER:

SHYLA DANIEL,
AGED 50 YEARS,
D/O. LATE DANIEL ZACHARIAH,
RESIDING AT T.C. NO.10/656, HOUSE NO. 56,
DEVI NAGAR, PEROORKADA P.O,
THIRUVANANTHAPURAM - 695005.

BY ADVS.
GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
A.R.DILEEP
P.J.JOE PAUL
MANU SRINATH

RESPONDENTS:

1 **STATE OF KERALA,**
REPRESENTED BY THE CHIEF SECRETARY,
SECRETARIAT, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM, KERALA - 695001.

2 **THE ADDITIONAL CHIEF SECRETARY,**
WATER RESOURCES DEPARTMENT, SECRETARIAT,
GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM,
KERALA - 695001.

3 THE SECRETARY,
REVENUE DEPARTMENT, SECRETARIAT,
GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM, KERALA, PIN - 695001

4 THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM DISTRICT,
2ND FLOOR, CIVIL STATION BUILDING,
CIVIL STATION ROAD,
THIRUVANANTHAPURAM - 695001.

5 THE REVENUE DIVISIONAL OFFICER,
THIRUVANANTHAPURAM REVENUE DIVISION,
THIRUVANANTHAPURAM DISTRICT,
CIVIL STATION BUILDING, CIVIL STATION ROAD,
THIRUVANANTHAPURAM, KERALA - 695043.

6 TAHSILDAR,
THIRUVANANTHAPURAM TALUK OFFICE,
TALUK OFFICE ROAD, NEAR EXCISE OFFICE,
FORT, EAST FORT, PAZHAVANGADI,
THIRUVANANTHAPURAM, KERALA - 695023.

7 VILLAGE OFFICER,
PEROORKADA VILLAGE OFFICE,
MARUTHANKUZHI-KACHANI ROAD, NEAR CPT,
VATTIYOORKAVU, THIRUVANANTHAPURAM,
KERALA - 695013.

8 CHIEF ENGINEER,
IRRIGATION AND ADMINISTRATION,
IRRIGATION DEPARTMENT, PUBLIC OFFICE COMPOUND,
VIKAS BHAVAN P.O, THIRUVANANTHAPURAM - 695033.

9 EXECUTIVE ENGINEER,
MINOR IRRIGATION DIVISION,
JALAVINJANA BHAVAN, AMABALAMUKKU,
THIRUVANANTHAPURAM - 695005.

10 ASSISTANT EXECUTIVE ENGINEER,
MINOR IRRIGATION SUB DIVISION, OPP. TO MUSEUM,
OBSERVATORY HILL, VIKAS BHAVAN P.O,
THIRUVANANTHAPURAM, KERALA - 695004.

11 SURJITH,
ASSISTANT ENGINEER, MINOR IRRIGATION SECTION,
OPPO.TO MUSEUM, OBSERVATORY HILL,
VIKAS BHAVAN P.O,
THIRUVANANTHAPURAM, KERALA - 695004.

12 MANJU,
3RD GRADE OVERSEER, MINOR IRRIGATION SECTION,
OBSERVATORY HILL, VIKAS BHAVAN P.O,
THIRUVANANTHAPURAM, KERALA - 695004.

13 THIRUVANANTHAPURAM MUNICIPAL CORPORATION
REPRESENTED BY ITS SECRETARY,
CORPORATION OFFICE, VIKAS BHAVAN POST,
THIRUVANANTHAPURAM - 695033.

BY ADVS.
N.NANDAKUMARA MENON (SR.)
SHRI.P.K.MANOJKUMAR
SUMAN CHAKRAVARTHY, SC, TVPM CORPORATION
SMT.G.SHEEBA, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04.04.2025, ALONG WITH WP(C).3298/2019, 1391/2016 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K. BABU

FRIDAY, THE 4TH DAY OF APRIL 2025 / 14TH CHAITHRA, 1947

WP(C) NO. 1391 OF 2016

PETITIONERS:

1 **MARIAMMA R *[EXPIRED]**
AGED 80 YEARS,
W/O.LATE DANIEL ZACHARIAH,
RESIDING AT TC.10/656, HOUSE NO.56,
DEVI NAGAR, PEROORKADA P O,
THIRUVANANTHAPURAM DISTRICT.

2 **SHYLA DANIEL,**
AGED 45 YEARS,
DAUGHTER OF LATE DANIEL ZACHARIAH,
RESIDING AT TC.10/656, HOUSE NO.56,
DEVI NAGAR, PEROORKADA P.O,
THIRUVANANTHAPURAM DISTRICT.

BY ADVS.
SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SRI.P.J.JOE PAUL
SRI.MANU SRINATH

RESPONDENTS:

1 **STATE OF KERALA,**
REPRESENTED BY CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM 695001.

**2 THE MANAGING DIRECTOR
KERALA WATER AUTHORITY, JALA BHAVAN,
VELLAYAMBALAM, THIRUVANANTHAPURAM -695010**

**3 THE EXECUTIVE ENGINEER,
SEWERAGE AND MAINTENANCE DIVISION,
PATTOOR, THIRUVANANTHAPURAM -695011**

**4 THE ASSISTANT EXECUTIVE ENGINEER,
SEWERAGE SUB DIVISION, PATTOOR,
THIRUVNAANTHAPURAM -695011**

**5 * DEVI NAGAR-IDAKKULAM-KAROORKONAM ROAD VIKASANA SAMITHY,
DEVI NAGAR, PEROORKKADA,
THIRUVANANTHAPURAM-695005,
REPRESENTED BY ITS CONVENER.**

**6 * RAJESH KUMAR O.S,
S/O. SADASIVAN NAIR, PARIJATHAM, T.C.10/868,
HOUSE NO.59,DEVI NAGAR, PEROORKADA P.O,
THIRUVANANTHAPURAM-695005.**

***(ADDL.R5 AND R6 ARE IMPLEADED AS PER ORDER DATED 18.1.2016 IN IA.NO, 698/2016)**

**BY ADV SRI.P.BENJAMIN PAUL, SC, KERALA WATER AUTHORITY
SRI.JOSEPH JOHN, SC, KERALA WATER AUTHORITY
SMT.G.SHEEBA, GOVERNMENT PLEADER**

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04.04.2025, ALONG WITH WP(C).16901/2021 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K. BABU

FRIDAY, THE 4TH DAY OF APRIL 2025 / 14TH CHAITHRA, 1947

WP(C) NO. 29380 OF 2019

PETITIONER:

1 **MARIAMMA R.ALIAS MARIAMMA DANIEL,**
AGED 83 YEARS,
W/O LATE DANIEL ZACHARIAH,
RESIDING AT T.C.NO 10/656, HOUSE NO.56,
DEVI NAGAR, PEROORKADA P.O.,
THIRUVANANTHAPURAM-695 005.

2 **SHYLA DANIEL,**
AGED 48 YEARS,
D/O LATE DANIEL ZACHARIAH,
RESIDING AT T.C.NO 10/656, HOUSE NO 56,
DEVI NAGAR, PEROORKADA P.O.,
THIRUVANANTHAPURAM-695 005.

BY ADVS.
GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
A.R.DILEEP
P.J.JOE PAUL

RESPONDENTS:

1 **STATE OF KERALA,**
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF KERALA IN THE DEPARTMENT OF LOCAL SELF GOVERNMENT (URBAN), GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.

2 THE THIRUVANANTHAPURAM MUNICIPAL CORPORATION,
REPRESENTED BY ITS SECRETARY,
CORPORATION OFFICE, VIKAS BHAVAN POST,
THIRUVANANTHAPURAM-695 033.

3 THE SECRETARY,
THIRUVANANTHAPURAM MUNICIPAL CORPORATION,
CORPORATION OFFICE, VIKAS BHAVAN POST,
THIRUVANANTHAPURAM-695 033.

4 THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM DISTRICT, COLLECTORATE,
GENERAL POST OFFICE, THIRUVANANTHAPURAM-695 001.

5 VINAYAKUMARI,
AGED 56 YEARS,
D/O T. PURUSHOTHAMAN,
RESIDING AT THAMBURU HOUSE, DEVI NAGAR,
THURUTHUMOOLA MURIYIL,
PEROORKADA P.O.,
THIRUVANANTHAPURAM-695 005.

6 JAYAKUMARI,
AGED 55 YEARS,
D/O T.PURUSHOTHAMAN, RESIDING AT GAYATHRI,
DEVI NAGAR, THURUTHUMOOLA MURIYIL,
PEROORKADA P.O.,THIRUVANANTHAPURAM-695 005.

7 BINDU K,
HOUSE NO 44, RESMI NAGAR,
RESIDENCE ASSOCIATION, KURAVANKONAM,
THIRUVANANTHAPURAM-695 003.

8 DEVI NAGAR EDAKKULAM KARURKONAM COLONY ROAD
VIKASANA SAMITHY,
DEVI NAGAR, REPRESENTED BY ITS CONVENOR,
RAJESHKUMAR O.S, TC 5/835, (4) DWARAKA,
MANNAMOOLA, PEROORKADA, P.O.,
THIRUVANANTHAPURAM-695 005.

BY ADVS.
SRI.N.NANDAKUMARA MENON (SR.)
SRI.R.SUNIL KUMAR
SRI.P.K.MANOJKUMAR, SC,TVPM CORPORATION
SMT.A.SALINI LAL
SUMAN CHAKRAVARTHY, SC,TVPM CORPORATION
SMT.G.SHEEBA, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04.04.2025, ALONG WITH WP(C).16901/2021 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K. BABU

FRIDAY, THE 4TH DAY OF APRIL 2025 / 14TH CHAITHRA, 1947

WP(C) NO. 3298 OF 2019

PETITIONERS:

1 **MARIYAMMA.R @ MARIYAMMA DANIEL,**
AGED 83 YEARS,
OWN AFFAIRS, W/O. LATE DANIEL ZACHARIAH,
T.C.10/656 HOUSE NO.56, DEVI NAGAR,
PEROORKADA P.O, THIRUVANANTHAPURAM-695005.

2 **SHYLA DANIEL,**
AGED 47 YEARS
OWN AFFAIRS, D/O.LATE DANIEL ZACHARIAH,
T.C.10/656 HOUSE NO.56, DEVI NAGAR,
PEROORKADA P.O, THIRUVANANTHAPURAM-695005.

BY ADVS.
SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SRI.P.J.JOE PAUL
SRI.MANU SRINATH

RESPONDENTS:

1 **STATE OF KERALA,**
REPRESENTED BY CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.

2 THE THIRUVANANTHAPURAM CORPORATION,
ZONAL OFFICE, VIKAS BHAVAN P.O,
THIRUVANANTHAPURAM-695033,
REPRESENTED BY ITS SECRETARY.

3 THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM DISTRICT, COLLECTORATE,
GENERAL POST OFFICE, THIRUVANANTHAPURAM-695001.

4 THE VILLAGE OFFICER,
PEROORKADA VILLAGE, C.P.T.VATTIYOORKAVU,
MARUTHANKUDY, KACHANI ROAD,
THIRUVANANTHAPURAM-695013.

5 DEVI NAGAR EDAKKULAM KARURKONAM COLONY ROAD
VIKASANA SAMITHY,
DEVI NAGAR, REPRESENTED BY ITS CONVENOR,
RAJESHKUMAR O.S.TC 5/835(4), 'DWARAKA',
MANNAMOOLA, PEROORKADA P.O,
THIRUVANANTHAPURAM-695005.

6 * VINOD KUMAR O.S.
AGED 48 YEARS, S/O. SADASIVAN NAIR,
PARIJATHAM, DEVINAGAR 59, T.C.10/658,
PEROORKADA(PO), THIRUVANANTHAPURAM-695005.

7 * BHUVANENDRAN NAIR.K.,
AGED 58 YEARS, S/O. KRISHNA PILLAI, ANIZHAM,
TC 22/901, PEROORKADA(PO),
THIRUVANANTHAPURAM-695005.

*(IMPLEADED AS PER ORDER IN IA-1/2019 DATED
6.6.2019.

BY ADVS.
SRI.N.NANDAKUMARA MENON (SR.)
SRI.R.SUNIL KUMAR
SRI.P.K.MANOJKUMAR,SC,TVPM CORPORATION

SRI.G.P.SHINOD
SMT.A.SALINI LAL
SRI.GOVIND PADMANAABHAN
SHRI.AJIT G ANJARLEKAR
SUMAN CHAKRAVARTHY, SC,TVPM CORPORATION
SMT.G.SHEEBA, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04.04.2025, ALONG WITH WP(C).16901/2021 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K. BABU

FRIDAY, THE 4TH DAY OF APRIL 2025 / 14TH CHAITHRA, 1947

WP(C) NO. 22952 OF 2020

PETITIONER:

SHYLA DANIEL,
AGED 49 YEARS
D/O.LATE DANIEL ZACHARIAH,
RESIDING AT T.C.NO.10/656,
HOUSE NO.56,
DEVI NAGAR,
PEROORKADA P.O.,
THIRUVANANTHAPURAM-695005.

BY ADVS.
GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.P.J.JOE PAUL
SRI.MANU SRINATH
SRI.A.R.DILEEP

RESPONDENTS:

1 **STATE OF KERALA,**
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF KERALA IN THE DEPARTMENT OF REVENUE AND LAND SURVEY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.

2 THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM DISTRICT, COLLECTORATE,
GENERAL POST OFFICE, THIRUVANANTHAPURAM-695001.

3 REVENUE DIVISIONAL OFFICER,
RDO OFFICE, 1ST FLOOR, KUDAPPANAKUNNU,
THIRUVANANTHAPURAM, KERALA-695043.

4 VILLAGE OFFICER,
PEROORKADA VILLAGE OFFICE, NEAR CPT,
VATTIYOORKAVU, MARUTHANKUZHI-KACHANI RD,
THIRUVANANTHAPURAM, KERALA-695013.

5 THE THIRUVANANTHAPURAM MUNICIPAL CORPORATION,
REPRESENTED BY ITS SECRETARY, CORPORATION OFFICE,
VIKAS BHAVAN POST, THIRUVANANTHAPURAM,
PIN-695033.

6 THE SECRETARY,
THIRUVANANTHAPURAM MUNICIPAL CORPORATION,
CORPORATION OFFICE, VIKAS BHAVAN POST,
THIRUVANANTHAPURAM, PIN-695033.

7 VINAYAKUMARI,
AGED 56 YEARS,
D/O.T.PURUSHOTHAMAN, THAMBURU HOUSE,
DEVI NAGAR,
THURUTHUMOOLA MURIYIL,
PEROORKADA P.O.,
THIRUVANANTHAPURAM, PIN-695005.

8 JAYAKUMARI,
AGED 55 YEARS,
D/O.T.PURUSHOTHAMAN,
RESIDING AT GAYATHRI,
DEVI NAGAR, THURUTHUMOOLA MURIYIL,
PEROORKADA P.O.,
THIRUVANANTHAPURAM, PIN-695005.

**9 DEVI NAGAR EDAKKULAM KARUKONAM COLONY ROAD VIKASANA SAMITHY,
DEVI NAGAR, REPRESENTED BY ITS CONVENOR,
RAJESHKUMAR O.S., TC 5/835(4), DWARAKA,
MANNAMOOLA, PEROORKADA P.O.,
THIRUVANANTHAPURAM-695005.**

**BY ADVS.
SRI.N.NANDAKUMARA MENON (SR.)
SRI.R.SUNIL KUMAR
SRI.P.K.MANOJKUMAR,SC,TVPM CORPORATION
SMT.A.SALINI LAL
SUMAN CHAKRAVARTHY, SC,TVPM CORPORATION
SMT.G.SHEEBA, GOVERNMENT PLEADER**

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04.04.2025, ALONG WITH WP(C).16901/2021 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BABU, J.

W.P (C) Nos.16901 of 2021, 1391/2016, 29380/2019, 3298/2019 and 22952/2020

Dated this the 4th day of April, 2025

JUDGMENT

W.P (C) No.16901 of 2021

The prayers in the Writ Petition (Civil) are as follows:

> "(i) issue a writ in the nature of mandamus or such other writ, direction or order, directing respondents 4 to 12, not to interfere with the petitioner's property situated at Resurvey Nos. 17, 32, 33, 60, 61, 62, 63, 64 and 65 of Block No. 35 in Peroorkada Village in Thiruvananthapuram Taluk in Thiruvananthapuram District;
>
> (ii) issue a writ in the nature of mandamus or such other writ, direction or order, directing respondents 1 to 10, to restore the original lie and nature of the petitioner's property situated at Resurvey Nos. 17, 32, 33, 60, 61, 62, 63, 64 and 65 of Block No. 35 in Peroorkada Village in Thiruvananthapuram Taluk in Thiruvananthapuram District by filling up the illegally dug water channel/drainage at the instance of 11th and 12th respondents;
>
> (iii) issue a writ in the nature of mandamus or such other writ, direction or order, directing Respondents 1-4 to institute departmental disciplinary proceedings against Respondents 11 and 12 for their illegal actions in having trespassed into and illegally dug water channel/drainage in the petitioner's property;

(iv) issue a writ in the nature of mandamus or such other writ, direction or order, directing 5th respondent to implement the Ext. P25 decision within a time frame to be decided by this Hon'ble Court;

(v) issue a writ in the nature of mandamus or such other writ, direction or order, directing 9th and 10th respondents to implement the Ext.P13 order within a time frame to be decided by this Hon'ble Court

(vi) pass such other orders that this Honourable Court deems fit and proper in the nature and circumstances of the case;

(vii) to award costs"

2. Heard Sri.George Varghese Perumpallikuttiyil, the learned counsel for the petitioner, Sri.Suman Chakravarthy, the learned Standing Counsel for Thiruvananthapuram Corporation and the learned Government Pleader.

3. The learned counsel for the petitioner confined his reliefs to give a direction to Thiruvananthapuram Corporation to restore the channel (cheruthodu) that originally existed in Block No.35 of Peroorkada Village in Thiruvananthapuram Taluk.

4. The petitioner owns the properties in Resurvey Nos.17, 32, 33, 60, 61, 62, 63 and 65 of Block No.35 of Peroorkada Village in Thiruvananthapuram District. The petitioner's properties adjoin

Edakkulam Thodu with a ridge pathway beside it. The Edakkulam Devi Nagar-Karoorkonam Colony Edavazhi was originally a water channel of approximately about 1 to 1 ½ meters in width and a walking ridge. It served as a stormwater drain during rainy seasons and was used by the local residents as a pathway. The natural flow of water in the region is from north to south and the drain used to proceed south finally joins the drains maintained by the Corporation on the side of the Hindustan Latex-Devi Nagar road.

5. As time passed, with a view to developing a new road over the natural drain, some local residents filled up the channel. They represented that steps had been taken by the Kerala Water Authority to lay sewage pipes to facilitate the smooth flow of drain water.

6. Consequently, the natural flow of the water became blocked, and the area started flooding. In her attempt to eliminate the nuisance by way of flooding and restore the channel that

originally existed, the petitioner approached the District Collector, Thiruvananthapuram (Respondent No.4), under Section 133 Cr.PC seeking to abate nuisance. She approached the Water Authority by filing a petition to restore the channel which functioned as a drainage. She preferred a petition before the District Collector seeking issuance of directions to the competent authorities to redress her grievances.

7. The learned counsel for the petitioner submitted that the petitioner had approached this Court after exhausting all alternative efficacious remedies. The learned counsel further submitted that the reports submitted by the revenue authorities during different stages of the proceedings in the petitions filed by the petitioner establish that a channel/cheruthodu was in existence in Block No.35 of Peroorkkada Village that adjoins the property of the petitioner and nuisance resulting from flooding during rainy season is a problem faced by the petitioner and the other residents.

8. The learned counsel for the petitioner submitted that the

'cheruthodu' vested with the Corporation under Section 208A of the Kerala Municipality Act, 1994 (for short 'the Act').

9. Respondent No.9, the Executive Engineer, Minor Irrigation Division filed a counter affidavit stating that the only way to abate the nuisance is to construct a drain in this area.

10. Thiruvananthapuram Municipal Corporation (respondent No.13) filed a statement, which reads thus:

> "It is submitted that at about 50 meters above the road, there is a natural stream flowing to the property of the petitioner and ends in her property, creating a small water body in the property of the petitioner. It is submitted that in order to prevent flooding in the property of the petitioner, it is necessary to construct a drain near the pathway, and the same has to be connected to the main drain flowing through the side of the main road."

11. The learned Standing Counsel for the Corporation submitted that, as of now, a road with an average width of 1 ½ meters runs through the place where the channel originally existed. The learned Standing Counsel further submitted that the Corporation does not maintain the said road as it is not in its Assets Register.

12. The learned counsel for the petitioner has taken me to the various documents relied on by the petitioner. Exhibit P1 is the copy of the resurvey plan prepared as per the Kerala Survey and Boundaries Act. Exhibit P1 shows the strip of land where originally the thodu existed in sub-division 37. Exhibit P3 is the report submitted by the Village Officer to the District Collector in a proceeding based on the complaint filed by the petitioner. In Ext.P3 report, the Village Officer reported thus:

> "ടി വസ്തുക്കളിലും മറ്റു വസ്തുക്കളിലും പോകുന്നതിനു വേണ്ടി ദേവി നഗർ കാരുർക്കോണം പോകുന്നതിനു വേണ്ടി ചെറിയ തോട് സഹിതം കൂടി 1.5 മീറ്റർ വീതിയുള്ള ഇടവഴി ഉണ്ടായിരുന്നു ."

13. Exhibit P8 is the statement filed by the Deputy Collector (General), Civil Station, Thiruvananthapuram in W.P(C) No.15463/2018 before this Court. In the said statement, the Deputy Collector pleaded thus:

> "3. It is further submitted that the petition was forwarded to the Village Officer, Peroorkada with a direction to inspect the site and furnish a detailed report in this regard within 4 days. The Village Officer visited the site on 19.04.2018 and vide Report No.181/18 dated 24.04.2018 reported that an

alternate sewerage route was cut open from the western side of the bylane around the other side of the properties adjacent to the bylane North of the petitioner's property to drain the wastewater towards the middle of the petitioner's property. It is also reported that bylane which existed in this area was a 'thodu' cum bylane having a width of 1.5 meters and that was waterlogged during rainy season and water was flowing through the bylane into the culvert situated at the end of the bylane. (sic)"

14. Exhibit P22 is the report submitted by the Tahsildar, Thiruvananthapuram to the Sub Collector, Thiruvananthapuram in a proceeding based on the complaint filed by the petitioner. In Ext.P22, the Tahsildar reported thus:

"സ്ഥലപരിശോധനയിൽ പരാതിക്കാരിയുടെ പുരയിടത്തിലൂടെ ഒരു മീറ്റർ നീളത്തിൽ നീർച്ചാലുകൾ എടുത്തിട്ടുള്ളതായി കാണുന്നു. ഈ സ്ഥലം താഴ്ന്ന പ്രദേശമായതിനാൽ ശക്തമായ മഴയിൽ വെള്ളം കെട്ടി നിന്ന് സമീപപ്രദേശത്തെ വീടുകളിൽ വെള്ളം കയറി ജീവനും സ്വത്തിനും അപകടമുണ്ടാകും എന്ന സാധ്യത ഉള്ളതിനാലാണ് അടിയന്തിരമായി പരാതിക്കാരിയുടെ ഭൂമിയിൽ ഓട നിർമിച്ചതെന്ന് അസിസ്റ്റന്റ് എഞ്ചിനീയർ (മൈനർ ഇറിഗേഷൻ) ശ്രീ.സുജിത് സ്ഥലപരിശോധനാസമയം നേരിൽ അറിയിച്ചിട്ടുണ്ട്.

വില്ലേജിലെ റെക്കോർഡുകൾ പ്രകാരം പരാതിക്കാരിയുടെ സ്ഥലത്തു ചാലോ ഓടയോ ഉള്ളതായി കാണുന്നില്ല. അന്വേഷണത്തിൽ പരാതിക്കാരിയുടെ വസ്തുവിന്റെ കിഴക്കുഭാഗത്തുള്ള വഴിയിലൂടെയാണ് വെള്ളം ഒഴുകിയിരുന്നതെന്ന് അറിയുന്നു. ഈ ഒഴുക്ക് തിരിച്ചുവിട്ട സാഹചര്യത്തിലാണ് പരാതിക്കാരിയുടെ ഭൂമിയിൽ വെള്ളക്കെട്ട് ഉണ്ടായത്. കിഴക്കുഭാഗത്തുള്ള റോഡിലൂടെ ഓട നിർമിച്ച സ്ലാബിട്ട് ഗതാഗതസൗകര്യം ഒരുക്കിയാൽ പ്രശ്നത്തിന് ശാശ്വതപരിഹാരം കാണാൻ

ക്ഷിയും എന്നുള്ള വിവരം തുടർനടപടികൾക്കായി റിപ്പോർട്ട് ചെയ്യുകൊള്ളുന്നു."

15. In the proceedings initiated by the Sub-divisional Magistrate, based on the complaint of the petitioner, an enquiry was conducted. After conducting enquiry, the Sub-divisional Magistrate (respondent No.5) recommended the following:

"**നിർദ്ദേശങ്ങൾ**

1. ടി വഴിയിലൂടെ ഒരു നിർമ്മിച്ച് പ്രശ്നം പരിഹരിക്കുവാനുള്ളതാണ്.
2. സ്ഥലം നേരിട്ട് സ്ഥലപരിശോധന നടത്തി തുടർനടപടി സ്വീകരിക്കും.
3. കോർപറേഷൻ അധികാരികൾ ടി ഒരു നിർമിക്കുന്നതിനുള്ള നടപടി സ്വീകരിക്കണം."

16. Exhibit P29 is the report submitted by the Village Officer, Peroorkada, on 09.08.2024, before the Taluk authorities based on the complaint filed by the petitioner. The relevant portion of the report reads thus:

"പേരൂർക്കട വില്ലേജിൽ ഹിന്ദുസ്ഥാൻ ലാറ്റക്സിനു സമീപം ദേവിനഗർ ഇടക്കുളം, കരൂർക്കോണം ഇടറോഡിലുള്ള അപേക്ഷയുടെ വസ്തുവിൽ അനധികൃതമായി ഒരു നിർമിച്ചതുമൂലം വെള്ളക്കെട്ട് ഉണ്ടാകുന്നു എന്ന പരാതിയിൽ സൂചന (2) പ്രകാരമുള്ള നിർദ്ദേശത്തിന്റെ അടിസ്ഥാനത്തിൽ സ്ഥല പരിശോധന നടത്തിയതിൽ,

പ്രസ്തുത സ്ഥലം ബ്ലോക്ക് നമ്പർ 35 ൽ BTR പ്രകാരം റീസർവ്വേ 37 ൽ പെട്ട ഭൂസ്ഥിതി വഴി എന്ന് രേഖപ്പെടുത്തി കാണുന്ന സ്ഥലത്തു അനധികൃതമായി കെട്ടിട വേസ്റ്റ് കൊണ്ടിട്ട് ഉയർത്തിയിട്ടുള്ളതായി കാണുന്നു.

xxx xxx xxx

റീസർവ്വേ സ്കെച്ചിൽ 01.80 മീറ്റർ വീതി രേഖപ്പെടുത്തികാണുന്ന (റീസർവ്വേ സ്കെച്ചിൽ ഒട രേഖപ്പെടുത്തിയിട്ടില്ല) ടി വഴി സംബന്ധിച്ച മുമ്പിനാലെ ലഭിച്ചിട്ടുള്ള സമാന പരാതികളിൽ പലതവണ ഈ കാര്യാലയത്തിൽ നിന്നും സ്ഥലപരിശോധന നടത്തിയിട്ടുള്ളതും ഓരോ പരിശോധനയിലും കൂടുതൽ കൂടുതൽ മണ്ണിട്ട് ഉയർത്തിയിട്ടുള്ളതായും പരാതിക്കക്ഷിയുടെ വസ്തുവിന്റെ കിഴക്കുഭാഗം കൂടുതൽ മണ്ണിട്ട് വഴിയുടെ ഭാഗമാക്കി മാറ്റുവാൻ ശ്രമിച്ചിട്ടുള്ളതായും കാണുന്നു."

17. On a perusal of the materials placed by the petitioner, the necessary inference is that originally, a channel (cheruthodu) and a walking ridge on the side of it existed in Block No.35 of Peroorkada Village, which was converted as a road by filling earth. The Corporation cannot take a stand that they have no responsibility to restore the channel that originally existed.

18. As per Section 208A of the Act, the channel shall absolutely vest in the Municipality. Section 208A of the Act reads thus:

"208A. Transfer of water courses, springs, reservoirs, etc, to Municipalities.- (1) Notwithstanding anything contained in the Kerala Land Conservancy Act, 1957 (8 of 1958) or in any other law for the time being in force, all public watercourses including those which the public have been using so as to give them easement rights over them, (other than rivers flowing through the municipal areas and other areas as may be specified by Government, by notification in the Gazette) whether existing at the commencement of this Act or were made; set up or constructed, thereafter whether made or constructed at the cost of the Municipality or not, along with their river beds, banks, springs, channels for irrigation and drainage, canals, lakes, backwaters, water courses all water whether standing, or flowing streams, reservoirs, ponds, water beds, fountains, wells, 'Kappus' channels stand pipes, and other water reservoirs and any land appertaining there to other than private property shall stand transferred to and shall absolutely vest in the Municipality:

Provided that nothing contained in this sub-section shall apply to an irrigation project or any work connected therewith or any land appertaining thereto.

(2) Subject to the provisions of this Act, all rights and liabilities of the Government in respect of the water-courses, springs, reservoirs, ponds, water beds, fountains, wells, channels, standpipes and other works connected with water shall be vested on the Municipality under sub-section (1) and shall be the rights and liabilities of the municipality from the date of such vesting.

(3) Notwithstanding anything contained in sub-section (1) and sub-section (2), the Government may, after consultation with the Municipality and after giving due consideration to its objections, if any, take over the administration of any public water source and the public land appertaining thereto.

(4) It shall be unlawful for any person to reserve or take for himself from any land whether poramboke or

> otherwise transferred or vested in the Municipality under this Act, any tree, earth, sand, metal, laterite, limeshell or other valuable articles which may be notified by the Municipality, without a permit issued by the Municipality in this behalf and in accordance with the terms and conditions thereof and on payment of fee or compensation at such rates as may be fixed by the Municipality."

19. As per Sections 30 and 30A of the Act, the Corporation is responsible for restoring and maintaining the channel. The learned counsel for the petitioner relied on **Baby S. Supriya and Others v. Kollam Corporation and Others [2018 (4) KHC 1]** in support of his contentions. While considering the scope of Sections 30 and 30A of the Act, this Court in **Baby S. Supriya** observed thus:

> "12. In my considered opinion, S.30 of the Kerala Municipality Act clearly prescribes the obligations, duties and responsibilities to be discharged by the Municipal Corporation, which reads thus:
>
> > *"30. Powers, functions and responsibilities of Municipality. - (1) The administration of a Municipal area in respect of the matters enumerated in the First Schedule shall, subject to the provisions of this Act and such other provisions as may be prescribed in this behalf and the provisions of other Acts and the rules made thereunder vest in the Municipality and it shall have the power and responsibility to prepare and implement schemes for economic development and social justice in relation to the matters enumerated in the First Schedule:*

Provided that, it shall be the duty of the Municipality to render necessary service to the inhabitants of the Municipal area in respect of the matters enumerated as mandatory functions in the First Schedule;

(2) Municipality shall have such powers, authority and responsibilities of the Government as prescribed, to enable it to function as an institution of self Government in respect of the matters entrusted to it.

(3) The Government shall, as soon as may be after the coming into force of this Act, transfer all institutions, schemes, buildings, other properties, assets and liabilities connected with the matters mentioned in the First Schedule, to the Municipalities concerned.

(4) The Central and State Plan allocations, for the time being in force and the annual budget allocation in respect of the subjects transferred to the Municipalities by the Government shall be wholly allotted to the respective Municipalities.

(5) The municipality shall manage to institutions and administer the schemes transferred to it, subject to the guidelines and technical directions from the Government and in accordance with the State and National policies.

(6) Every institutions transferred by Government to the Municipality shall be in the name of that Municipality and shall be known accordingly.

(7) The Municipality shall not have power to sell,

transfer, alienate or mortgage any property transferred to it under sub-section (3).

(8) Government may resume any property transferred to the Municipality, if it is no more required by the Municipality for the purpose for which it was so transferred.

(9) There shall be constituted a Managing Committee consisting of not more than fifteen members including its chairman in the prescribed manner for public health institutions transferred to the Municipality.

(10) Where any scheme, project or plan involves selection of beneficiaries, the criterion for the eligibility and priority for such selection shall be determined by the Municipality subject to the terms and conditions of the scheme, project or plan and such criteria shall be published in the prescribed manner and shall be intimated to the Ward Committee or the Ward Sabha concerned.

(11) The Municipality shall invite applications for the selection of beneficiaries and prepare the draft priority list after making enquiry on the applications received in this behalf and send it for the consideration of the Ward Committee or the Ward Sabha concerned.

(12) The Ward Committee or the Ward Sabha shall scrutinize the draft priority list for the selection of beneficiaries in a meeting convened inviting the applicants also and prepare the final list and forward it for the approval of the council.

(13) The Council shall not alter the priority of the list prepared by the Ward Committee or the Ward Sabha."

13. By virtue of S.30(A), First Schedule is constituted to the Kerala Municipality Act, 1994, from which, it is evident that, there are Mandatory Functions to be discharged by the Municipality, which reads thus:

"A. Mandatory Functions

1. Regulating building construction.
2. Protection of public land from encroachment.
3. Conservation of traditional drinking water sources.
4. Preservation of ponds and other water tanks.
5. Maintenance of waterways and canals under the control of the Municipality.
6. Collection and disposal of solid waste and regulation of disposal of liquid waste.
7. Stream water drainage.
8. Maintenance of environmental hygiene.
9. Management of public markets.
10. Vector control.
11. Regulation of slaughtering of animals and sale of meat, fish and other easily perishable food stuffs etc.
12. Control of eating houses.
13. Prevention of food adulteration.
14. Maintenance of roads and other public properties.
15. Street lighting and its maintenance.

16. Adopt immunisation measures.

17. Effective implementation of National arid State level strategies and programmes for prevention and control of diseases.

18. Establishment and maintenance of burial and burning grounds.

19. Issue of licences to industries, trades and services protecting public interests such as environment, public safety and public health.

20. Registration of births and deaths.

21. Providing bathing and washing ghats.

22. Arranging ferries.

23. Providing parking spaces for vehicles.

24. Construction of waiting sheds for travellers.

25. Providing toilet facilities and bathing ghats at public places.

26. Regulating the conduct of fairs and festivals.

27. Issue licence to domestic dogs and destroy stray dogs.

28. Providing basic facilities in slum areas.

29. Amenities including foot path and road crossing facilities for pedestrians.

30. Preparation of detailed town planning and Action plan for implementation in a phased manner."

14. It is clear from Sl. Nos. 5 and 7 that the construction and maintenance of canals is a mandatory duty of the Municipality. So also, Sl. No. 8 makes it clear that, Municipality is duty - bound for the maintenance of environmental hygiene. That apart, other functions are also

> there, which are mandatorily to be discharged including maintenance of roads and other public properties, effective implementation of the national and State level projects and programmes for prevention and control of diseases, and for preparation of detailed town planning and action plan for implementation in a phased manner. Apart from all these, other general functions are also to be carried out by the Municipality. Therefore, in my considered opinion, the 1st respondent Corporation cannot be indifferent to the mandatory functions conferred on them by stating that the construction of the drain has to be carried out through the PWD road, and therefore, PWD is to carry out the construction of the drainage. In my considered opinion, the petitioners are entitled to succeed in this writ petition."

20. It is submitted that a large number of the public use the strip of land as a way for the ingress and egress to their residences. It is submitted that the Corporation can restore the channel and maintain it without affecting the right of user of the public laying slabs on the channel. Therefore, the following directions are issued:

(i) Respondent Nos.4 and 13 shall see that the channel that existed in Block No.35 of Peroorkada Village (referred to in Ext.P1) is restored to its original position without affecting the right of user of that strip of land

by the local residents.

(ii) Respondent No.13 shall place slabs over the channel to facilitate the use of the strip of land as a way under the supervision of respondent No.4.

21. Respondent Nos.4 and 13 shall comply with the directions as expeditiously as possible, at any rate, within a period of three months from this day.

22. The Original Petition is disposed of as above.

Writ Petition (C) Nos.1391 of 2016, 29380 of 2019, 3298 of 2019 and 22952 of 2020

In view of the disposal of Writ Petition (C) No.16901/2021, Writ Petition Nos.1391 of 2016, 22952 of 2020, 29380 of 2019 and 3298 of 2019 stand closed.

Sd/-
K.BABU,
JUDGE

KAS

APPENDIX OF WP(C) 16901/2021

PETITIONER EXHIBITS

Exhibit P1	**A TRUE COPY OF THE SURVEY SKETCH DATED 28.11.2014 ISSUED BY THE CENTRAL SURVEY OFFICE RELATING TO BLOCK NO. 35 SHOWING THE LIE OF THE PROPERTY OF THE PETITIONER.**
Exhibit P2	**A TRUE COPY OF COMPLAINT DATED 19.04.2018 SUBMITTED BY THE PETITIONER TO THE 4TH RESPONDENT WITH ENDORSEMENTS MADE THEREON BY THE 4TH RESPONDENT.**
Exhibit P3	**A TRUE COPY OF THE REPORT SUBMITTED BY THE VILLAGE OFFICER PEROORKADA 7TH RESPONDENT TO THE 4TH RESPONDENT.**
Exhibit P4	**A TRUE COPY OF THE COMMISSION REPORT IN OS. 475/2018 ON THE FILE OF MUNSIFF'S COURT, THIRUVANANTHAPURAM.**
Exhibit P5	**A TRUE COPY OF THE COMPLAINT DATED 26.05.2021 PREFERRED BY THE PETITIONER BEFORE THE 8TH RESPONDENT CHIEF ENGINEER.**
Exhibit P6	**A TRUE COPY OF THE PHOTOGRAPHS SHOWING THE ILLEGAL EXCAVATION OF WATER CHANNEL THROUGH THE PETITIONER'S PROPERTY.**
Exhibit P7	**A TRUE COPY OF THE COMPLAINT DATED 26.05.2021 PREFERRED BY THE PETITIONER BEFORE THE 4TH RESPONDENT DISTRICT COLLECTOR.**

Exhibit P8	**A TRUE COPY OF THE COMPLAINT DATED 28.05.2021 PREFERRED BY THE PETITIONER BEFORE THE 5TH RESPONDENT RDO ALONG WITH ANNEXURES.**
Exhibit P9	**A TRUE COPY OF THE LETTER DATED 04.06.2021 ISSUED BY THE 5TH RESPONDENT RDO TO THE 9TH RESPONDENT EXECUTIVE ENGINEER.**
Exhibit P10	**A TRUE COPY OF THE LEGAL NOTICE DATED 18.06.2021 ISSUED BY THE COUNSEL FOR THE PETITIONER TO THE 9TH RESPONDENT EXECUTIVE ENGINEER.**
Exhibit P11	**A TRUE COPY OF THE LETTER DATED 14.06.2021 ISSUED BY THE 9TH RESPONDENT EXECUTIVE ENGINEER TO THE 10TH RESPONDENT ASSISTANT EXECUTIVE ENGINEER.**
Exhibit P12	**A TRUE COPY OF THE PROCEEDINGS NO. D3-686/18 VOL III DATED 15.06.2021 ISSUED BY THE 10TH RESPONDENT ASSISTANT EXECUTIVE ENGINEER.**
Exhibit P13	**A TRUE COPY OF THE LETTER DATED 29.06.2021 ISSUED BY THE 10TH RESPONDENT ASSISTANT EXECUTIVE ENGINEER TO THE 11TH RESPONDENT.**
Exhibit P14	**A TRUE COPY OF THE LETTER DATED 15.07.2021 ISSUED BY THE 10TH RESPONDENT ASSISTANT EXECUTIVE ENGINEER TO THE 11TH RESPONDENT.**

Exhibit P15	**A TRUE COPY OF THE REPORT DATED 14.06.2021 SUBMITTED BY THE 11TH RESPONDENT BEFORE THE 10TH RESPONDENT ASSISTANT EXECUTIVE ENGINEER.**
Exhibit P16	**A TRUE COPY OF THE RTI APPLICATION DATED 02.07.2021 PREFERRED BY THE PETITIONER BEFORE THE DISTRICT COLLECTORATE.**
Exhibit P17	**A TRUE COPY OF THE RTI RESPONSE DATED 17.07.2021 ISSUED BY THE DISTRICT COLLECTOR ALONG WITH COPY OF THE DESPATCH CUM STAMP ACCOUNT REGISTER.**
Exhibit P18	**A TRUE COPY OF THE RTI APPLICATION DATED 02.07.2021 PREFERRED BY THE PETITIONER BEFORE THE DISTRICT COLLECTORATE,**
Exhibit P19	**A TRUE COPY OF THE RTI RESPONSE DATED 17.07.2021 ISSUED BY THE DISTRICT COLLECTORATE.**
Exhibit P20	**A TRUE COPY OF THE RTI APPLICATION DATED 26.07.2021 PREFERRED BY THE PETITIONER BEFORE THE DISTRICT COLLECTORATE.**
Exhibit P21	**A TRUE COPY OF THE RTI RESPONSE DATED 06.08.2021 ISSUED BY THE DISTRICT COLLECTORATE.**
Exhibit P22	**A TRUE COPY OF THE LETTER DATED 1.6.2021 ISSUED BY THE 6TH RESPONDENT TAHSILDAR TO 5TH RESPONDENT – RDO.**

Exhibit P23	**A TRUE COPY OF THE HEARING NOTICE DATED 17.06.2021 ISSUED BY THE 5TH RESPONDENT RDO.**
Exhibit P24	**A TRUE COPY OF THE STATEMENT FILED BY THE PETITIONER BEFORE THE RDO FOR HEARING.**
Exhibit P25	**A TRUE COPY OF THE HEARING SHEET, STATEMENT OF THE WITNESSES ALONG WITH THE DECISION RENDERED BY THE 5TH RESPONDENT - RDO DATED 22.06.2021.**
Exhibit P26	**A TRUE COPY OF THE COMPLAINT DATED 04.06.2024 PREFERRED BY THE PETITIONER BEFORE THE 13TH RESPONDENT ALONG WITH THE ACKNOWLEDGMENT OF ITS RECEIPT**
Exhibit P27	**A TRUE COPY OF LETTER NO. C1- 14431/19 DATED 11.10.2019 ISSUED BY THE 6TH RESPONDENT TO THE 13TH RESPONDENT**
Exhibit P28	**A TRUE COPY OF STATEMENT DATED 14.01.2020 FILED BY THE 13TH RESPONDENT WHO WAS THE 2ND RESPONDENT IN W.P(C)NO.29380/2019 BEFORE THIS HONOURABLE COURT.**
Exhibit P29	**A TRUE COPY OF REPORT DATED 28.09.2024 ALONG WITH ANNEXURES OBTAINED UNDER RIGHT TO INFORMATION ACT**

RESPONDENT EXHIBITS

Exhibit R(a)	**A TRUE COPY OF THE LETTER DATED 13.05.2021 OF MLA.**

Exhibit R(b) **A TRUE COPY OF THE PHOTOGRAPH SHOWING THE DRAINAGE AFTER CLEARING THE WASTE AND VEGETATION.**

APPENDIX OF WP(C) 1391/2016

PETITIONER EXHIBITS

Exhibit P1	**COPY OF THE CONSENT SIGNED BY THE FIRST PETITIONER IN FAVOUR OF THE KERALA WATER AUTHORITY DIVISIONAL ENGINEER DT. 30.05.2009**
Exhibit P2	**COPY OF THE PLAIN IN OS.NO.466/2014 ON THE FILE OF THE MUNSIFF'S COURT, THIRUVANANTHAPURAM DT 06.03.2014**
Exhibit P3	**COPY OF THE PLAINT IN OS.NO.409/2014 ON THE FILE OF THE MUNSIFF'S COURT, THIRUANANTHAPURAM DT. 29.02.2014**
Exhibit P4	**COPY OF THE INTERIM ORDER IA.2109/2014 IN OS.NO.409/2014 ON THE FILE OF THE MUNSIFF'S COURT, THIRUVANANTHAPURAM DATED 01.03.2014**
Exhibit P5	**COPY OF THE ORDER OF THE ADDITIONAL MUNSIFF (RCC) THIRUVANANTHAPURAM DATED 20.05.2015 IN IA.NO.2109/2014 IN OS.NO.409/2014**
Exhibit P6	**COPY OF THE JUDGMENT PASSED BY THE DISTRICT COURT, THIRUVANATHAPURAM DATED 22.07.2015 IN CMA .NO.70/2015**
Exhibit P7	**COPY OF THE COMPLAINT FILED BY THE FIRST PETITIONER'S HUSBAND WITH THE ENDORSEMENT OF THE 3RD RESPONDENT BEFORE THE RESPONDETNS 2,3 AND 4 DT. 04.03.2014**

Exhibit P8	**COPY OF THE COMPLAINT FILED BY THE FIRST PETITIONER BEFORE THE RESPONDENTS 2,3 AND 4 DATED NIL**
Exhibit P9	**COPY OF THE APPLICATION FILED BY THE PETITIONER THROUGH HER DAUGHTER SHYLA DANIEL UNDER THE RIGHT TO INFORMATION ACT DT. 05.01.2015**
Exhibit P10	**COPY OF THE REPLY DATED 08.01.2015 GIVEN BY THE PUBLIC INFORMATION OFFICER**
Exhibit P11	**COPY OF THE REPLY NO. E5/159144/14 DATED 10.12.2014 ISSUED BY THE ASSISTANT ENGINEER, THIRUVANANTHAPURAM CORPORATION**
Exhibit P12	**A TRUE COPY OF REPRESENTATION SUBMITTED TO THE CHIEF ENGINEER, KERALA WATER AUTHORITY ENCLOSING INTERIM ORDERS DATED 14.01.2016 AND 17.06.2016 IN W.P. (C) 1391/2016 OF THE HONOURABLE HIGH COURT**

APPENDIX OF WP(C) 29380/2019

PETITIONER EXHIBITS

EXHIBIT P1	**A TRUE COPY OF THE SURVEY SKETCH DATED 28.11.2014 ISSUED BY THE CENTRAL SURVEY OFFICE RELATING TO BLOCK NO 35 SHOWING THE LIE OF THE PROPERTY OF THE PETITIONERS**
EXHIBIT P2	**A TRUE COPY OF PHOTOGRAPH SHOWING THE LIE, LOCATION AND TOPOGRAPHY OF THE PROPERTIES AND THE NATURAL DRAIN FLOWING BY THE SIDE OF THE NARROW WAY EDAKKULAM DEVI NAGAR-KAROORKONAM COLONY ROAD.**
EXHIBIT P3	**A TRUE COPY OF INTERIM ORDER DATED 14.1.2016 PASSED IN WPC NO 1391 OF 2016**
EXHIBIT P4	**A TRUE COPY OF PLAINT IN OS NO 475 OF 2018 OF THE MUNSIFF COURT 11, THIRUVANANTHAPURAM**
EXHIBIT P5	**A TRUE COPY OF INTERIM INJUNCTION DATED 21.3.2018 HAS BEEN GRANTED IN IA NO 2153/2018 IN OS NO 475/2018**
EXHIBIT P6	**A TRUE COPY OF COMPLAINT SUBMITTED BY THE PETITIONER TO THE 4TH RESPONDENT WITH ENDORSEMENTS MADE THEREON BY THE 4TH RESPONDENT**
EXHIBIT P7	**A TRUE COPY OF REPORT SUBMITTED BY THE VILLAGE OFFICER PEROORKADA TO THE 4TH RESPONDENT**

EXHIBIT P8	**A TRUE COPY OF THE INTERIM ORDER DATED 5.2.2019 OF THE HONOURABLE HIGH COURT IN WPC NO 3298/2019**
EXHIBIT P9	**A TRUE COPY OF ORDER DATED 5.9.2019 OF THE HONOURABLE HIGH COURT IN WPC NO 20220/2019**
EXHIBIT P10	**A TRUE COPY OF COMMISSION REPORT IN OS 475/2018 ON THE FILE OF MUNSIFFS COURT, THIRUVANANTHAPURAM**
EXHIBIT P11	**A TRUE COPY OF THE OFFICE NOTE NO.E/59297/18 OF THE 2ND RESPONDENT CORPORATION ALONG WITH THE ESTIMATE PREPARED, SKETCHES PREPARED BY THE ASSISTANT ENGINEER, LSGD AND THE COPY OF THE TECHNICAL SANCTION ACCORDED BY THE EXECUTIVE ENGINEER**
EXHIBIT P12	**A TRUE COPY OF THE LETTER DATED 1.11.2019 ISSUED BY THE CONTRACTOR TO THE 2ND RESPONDENT**

APPENDIX OF WP(C) 3298/2019

PETITIONER EXHIBITS

EXHIBIT P1	**TRUE COPY OF SURVEY SKETCH.**
EXHIBIT P2	**TRUE COPY OF ADVOCATE COMMISSIONER'S REPORT DATED 22.03.2014 IN O.S. 466/2016 OF THE MUNSIFF COURT, THIRUVANANTHAPURAM.**
EXHIBIT P3	**TRUE COPY OF ORDER OF AD INTERIM INJUNCTION DATED 21.03.2018 IN I.A.NO.2153/2018 IN O.S.NO.475/2018 OF THE MUNSIFF COURT, THIRUVANANTHAPURAM**
EXHIBIT P4	**TRUE COPY OF THE INTERIM ORDER DATED 14.1.2016 IN WPC.1391/2016.**
EXHIBIT P5	**TRUE COPY OF THE INTERIM ORDER DATED 17.06.2016 IN WPC. 1391/2016.**
EXHIBIT P6	**TRUE COPY OF THE REPRESENTATION DATED 19.04.2018 FILED BEFORE THE DISTRICT COLLECTOR, THIRUVANANTHAPURAM.**
EXHIBIT P7	**TRUE COPY OF THE REPORT DATED 24.04.2018 OF THE VILLAGE OFFICER, PEROORKADA VILLAGE.**
EXHIBIT P8	**TRUE COPY OF THE STATEMENT DATED 11.06.2018 FILED ON BEHALF OF THE DISTRICT COLLECTOR, THIRUVANANTHAPURAM.IN WPC.15463/2018.**
EXHIBIT P9	**TRUE COPY OF THE JUDGMENT DATED 14.12.2018 IN WPC.15463/2018.**

APPENDIX OF WP(C) 22952/2020

PETITIONER EXHIBITS

EXHIBIT P1	**A TRUE COPY OF THE SURVEY SKETCH DATED 28.11.2014 ISSUED BY THE CENTRAL SURVEY OFFICE RELATING TO BLOCK NO.35 SHOWING THE LIE OF THE PROPERTY OF THE PETITIONER.**
EXHIBIT P2	**A TRUE COPY OF THE INTERIM ORDER DATED 14.01.2016 PASSED IN WP(C)NO.1391 OF 2016.**
EXHIBIT P3	**A TRUE COPY OF THE PLAINT IN O.S.NO.475 OF 2018 OF THE MUNSIFF COURT-II, THIRUVANANTHAPURAM.**
EXHIBIT P4	**A TRUE COPY OF ORDER OF INTERIM INJUNCTION DATED 21.03.2018 HAS BEEN GRANTED IN I.A.NO.2153/2018 IN O.S.NO.475/2018 PASSED BY MUSNIFF'S COURT II, THIRUVANANTHAPURAM.**
EXHIBIT P5	**A TRUE COPY OF PHOTOGRAPH SHOWING THE DISGUSTING STATE OF AFFAIRS OF PETITIONER'S PROPERTY.**
EXHIBIT P6	**A TRUE COPY OF THE INTERIM ORDER DATED 05.02.2019 OF THE HONOURABLE HIGH COURT IN W.P.(C)NO.3298/2019.**
EXHIBIT P7	**A TRUE COPY OF STATEMENT FILED ON BEHALF OF 5TH RESPONDENT IN W.P. (C)NO.29380/2019 BEFORE THE HONOURABLE HIGH COURT.**

EXHIBIT P8	**A TRUE COPY OF THE APPLICATION DATED 28.05.2020 FILED BY THE 9TH RESPONDENT BEFORE THE VILLAGE OFFICER ALONG WITH THE INDIVIDUAL APPLICATIONS FOR RELINQUISHMENT OF LAND IN FORM A UNDER RULE 3 OF THE KERALA LAND RELINQUISHMENT RULES, 1958 SUBMITTED ON BEHALF OF RESPONDENTS 7 & 8.**
EXHIBIT P9	**A TRUE COPY OF LETTER DATED 12.08.2020 ISSUED BY THE VILLAGE OFFICER TO THE RDO.**
EXHIBIT P10	**A TRUE COPY OF STATEMENT FILED ON BEHALF OF THE DEPUTY COLLECTOR OF THE 2ND RESPONDENT.**
EXHIBIT P11	**A TRUE COPY OF REPRESENTATION DATED 18.08.2020 ALONG WITH THE BRIEFING NOTES FILED BEFORE THE 3RD RESPONDENT-RDO AND THE ACKNOWLEDGMENT ISSUED BY THE OFFICE OF RDO.**