

(2026) 03 KL CK 0768

In the High Court Of Kerala

Case No : Writ Petition (C) No. 37948 Of 2023

Jaisappan Mathai

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 18-03-2026

Acts Referred:

Citation : (2026) 03 KL CK 0768

Hon'ble Judges : Soumen Sen, CJ; Syam Kumar V.M., J

Bench : Division Bench

Advocate : Sergi Joseph Thomas, Vinitha B

Final Decision : Allowed

Judgement

Soumen Sen , CJ

1. We have heard the learned counsel for the parties.
2. In paragraph 3 of the additional counter affidavit filed by the 5th respondent, the criteria applied for grant of relief in respect of the devastating flood in the State of Kerala in 2020 was discussed. The said affidavit was filed as the initial affidavits were silent about the procedure/criteria applied for determining the compensation. Although the said paragraph refers to the criteria for determining the flood compensation, it is not clear from the said paragraph as to the reason for not giving the higher compensation of ₹ 10,000/- to the persons affected due to flood.
3. Apparently, Ext.P1, namely G.O.(MS) No. 20/2020/DMD dated 24.06.2020, which is an abstract of the Disaster Management Department recommendation, and a similar letter by the Member Secretary & Head, State Emergency Operations Centre, addressed to the Additional Chief Secretary, Revenue and Disaster Management, bearing No.MTO III/804/2021/Admin dated 06.07.2022, suggested that for the families who are certified to have not had livelihood for 30 days due to floods, the amount payable per family will be ₹ 6,300/- and this may

be capped to ₹ 6,200/- to limit the total payout to ₹ 10,000/- by the State Executive Committee. The said two documents are relevant and important for the purpose of determining the enhancement of compensation of the flood affected families.

4. Hence we direct the 2nd respondent - the Additional Chief Secretary to revisit the prayer for additional compensation to the flood affected families within a period of eight weeks from the date of communication of this judgment by either of the parties, after giving reasonable opportunity of hearing to the petitioner who is representing such flood affected families.

5. If the admitted amount of ₹ 3,800/- per family has not been disbursed in the meantime, the 5th respondent - the District Collector must ensure that the amounts as admitted shall be paid to the flood affected families within a period of four weeks from date. This order is restricted to the families already identified as eligible for compensation and mentioned in paragraph 4 of the additional counter affidavit filed by the 5th respondent on 14.08.2025. In view of the aforesaid order, Ext.P8 stands quashed.

6. We also direct the Secretary, District Legal Services Authority of the concerned districts to render all possible help to the Additional Chief Secretary, if any assistance is required for proper determination. A copy of this judgment shall also be communicated to the Secretary, District Legal Services Authority of the concerned districts immediately for information and necessary action.