

(2021) 04 KL CK 0178

In the High Court Of Kerala

Case No : Writ Petition (C) No. 10377 Of 2010

M.H.M. Ashraf

APPELLANT

Vs

Kerala Water Authority And Ors

RESPONDENT

Date of Decision : 26-04-2021

Acts Referred:

Citation : (2021) 04 KL CK 0178

Hon'ble Judges : N. Nagaresh, J

Bench : Single Bench

Advocate : Ashik K. Mohammed Ali, P. Benjamin Paul, Praveen K. Joy, K.M. Reshmi

Final Decision : Disposed Of

Judgement

1. The petitioner, who is a resident of Kappalandi Mukku in Division No.VI of Corporation of Kochi filed this writ petition seeking to command respondents 1 to 4 to provide quality drinking water to the petitioner and other people of Zone No.2 in West Kochi immediately. The petitioner has also sought incidental reliefs.

2. The petitioner states that the Department for International Development assisted Water Supply Improvement Scheme for West Kochi was commenced in October 2005. It was aimed at reducing the loss of water during supply by improving the existing distribution network and pumping systems. Water to the West Kochi is pumped from Perumanoor Pump House, which is about 50 years old. Under the scheme, the Perumanoor Pump House was revamped. A new water tank was constructed at Modi Bathroom Junction at Mattancherry with a capacity of 2.2 MLD of water, at a cost of ` 2.2 Crores. The old water tank at Fort Kochi was also repaired.

3. The West Kochi was expected to receive an additional quantity of 5 MLD of water with the completion of the Scheme. The actual demand of water in West Kochi was 29 MLD. The Water Authority claims that it is pumping 14 MLD. The petitioner resides within the limits of Zone No.2. But water supply through the

pipes laid under the Scheme is poor. Water pumped into the water tank at Koovapadam is being supplied by respondent Nos.1 to 4 only to their officers who are residing in the nearby official quarters. Not even a litre of water is supplied to the general public from the water tank at Koovapadam. The petitioner therefore seeks to direct respondents 1 to 4 to complete the work started in the Zones under the Augmentation Scheme, supported by the UK Government's Department for International Development, within a specific period.

4. The 4th respondent filed a statement. In the statement, it has been averred that water supply to western Kochi area is mainly from Karuvelipady Pump House. The main source of water is Perumanoor Pump House. The petitioner's area is in Zone 2. For improving water supply to this area, a major replacement of old pipes of existing water supply Scheme was awarded and executed. The work commenced on 25.03.2013 and was completed on 15.09.2015.

5. Separate pumping was arranged through the newly laid pumping Main and thereafter sufficient water is available in Zone 2 area. No mass complaint was received from this area so far, regarding scarcity of water. Individual complaints received are verified and rectified. Old 600 mm MS pumping main laid underneath the Mattancherry Bridge was replaced with new pipe for a length of 600 m. and laid 1900 pumping main upstream of Bridge from Mattancherry Bridge west end to Karuvelipady Pump House and down stream. Karuvelipady Pump House has now two sources of water, one from Perumanoor Pump House and other from Nettoor Pump House. The water supply in the entire western Kochi area has improved considerably and there is no major issue at present regarding supply of water.

6. The petitioner, however, insisted that the supply of water is scarce even as on date. Therefore, respondents 1 to 3 were directed to file a further statement in the matter. Accordingly, the Standing Counsel filed a statement dated 01.03.2021. The respondents stated that subsequently old and damaged Premo pipe from Bristol Road to east end of Mattancherry Bridge was laid for a length of 650 m. Old and damaged pumping main for a length of 600 m was also replaced. For getting water from Maradu Plant under JNNURM project, the work was executed and 700 mm DI pipe for a length of 185 m was laid and interconnected with newly laid 600 mm MS pipe underneath the old Mattancherry Bridge. Due to this 16 MLD water is received at Karuvelipady Pump from JNNURM project. Further more, the work of replacing the existing 525 mm distribution cum pumping main with 600 mm DI pipe rider main from Karuvelipady pump to Koovapadam OHSR along Santho Gopalan Road is nearing completion under Amrut Project. Due to the aforesaid works undertaken, water supply in the entire western Kochi area has improved considerably and there is no major issue regarding scarcity of water.

7. Heard.

8. This writ petition is of the year 2010. It is discernible from the statement filed

by the 4th respondent that subsequent to the filing of the writ petition, the work 'EMWSS -Replacing old and damaged 300 mm CI pipe in Mattancherry and Fort Kochi area - supplying, laying testing and commissioning of 315 mm HDPE pipe for a length of 1271 m and 90 mm PVC Pipe' for the improvement of water supply was carried out by the respondents. The work was completed on 15.09.2015. Separate pumping was arranged through newly laid pumping main. Another major replacement work 'RMWSS - Replacing old and damaged pipes in various places of Fort Kochi and Mattancherry area-Supplying, laying, testing and commissioning of 160, 110, 90, 75 and 63 mm HDPE and PVC pipes for improving water supply to Zones 1 and 2 was also carried out by 26.08.2015.

9. The statements filed by the respondents would show that the respondents have taken necessary measures for improving water supply to West Kochi area including Zone 2, where the petitioner is residing. The number of pumping stations are increased and hours of pumping are also increased.

In the circumstances, this Court do not find any reason to give any mandatory directions to the respondents in this writ petition. Accordingly, the writ petition is disposed of recording the statements made by the respondents. It is made clear that if the petitioner is still having complaint regarding non-supply of adequate quantity of water, he will be at liberty to approach the competent authorities.