

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

WEDNESDAY, THE 13<sup>TH</sup> DAY OF MAY, 2020/23<sup>RD</sup> VAISAKHA, 1942

W.P(C) NO.9710 OF 2020

PETITIONERS

1. KUNHIKRISHANAN V.P. ,  
AGED 56 YEARS, S/O GOPALALN  
CHOYETH NADEMMAL KUDIVELLA SAMRAKSHNAN KOOTTAYMA  
KUTTOTH, SIDHASAMAJAM PO  
VATAKARA 673 104
2. KANCHANA PRAKASHAN, AGED 49 YEARS  
D/O BALAN, CONVENER  
CHOYETH NADEMMAL KUDIVELLA SAMRAKSHNAN KOOTTAYMA  
KUTTOTH, SIDHASAMAJAM PO  
VATAKARA 673 104

BY ADV. VIPINDAS T.K

RESPONDENTS

1. VILLIAPPALLY GRAMA PANCHAYATH  
VILLIAPPALLY PO, VATAKARA - 673 542  
REP. BY ITS SECRETARY
2. REGIONAL DIRECTOR, RPMU, MALAPPURAM  
KERALA RURAL WATER SUPPLY AND SANITATION AGENCY  
2<sup>ND</sup> FLOOR, UMK TOWERS, JUBILEE ROAD  
UPHILL, MALAPPURAM 676 505
3. THE SECRETARY,  
MATHATH BHAGAM SHUDHAJALA VITHARANA SAMITHI  
VILLIAPPALLY GRAMA PANCHAYATH  
CHOYETH NADEMMAL- 673 104
4. THE DISTRICT COLLECTOR, KOZHIKODE  
CIVIL STATION - 673 020
5. THE DISTRICT OFFICER,  
GROUNDWATER DEPARTMENT  
CIVIL STATION PO, KOZHIKODE - 673 020
6. THE COUNTRY DIRECTOR  
WORLD BANK IN INDIA, 70, KK BIRLA LANE

LODHI GARDENS, LODHI ESTATE, NEW DELHI - 110 003

7. THE SECRETARY,  
VILLIAPPALLY GRAMA PANCHAYATH  
VILLIAPPALLY PO, VATAKARA - 673 542

8. THE DIRECTOR OF PANCHAYATS,  
THIRUVANANTHAPURAM - 695 033

R4-5 &8 BY SRI. GOVERNMENT PLEADER K.P.HARISH

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON  
13.05.2020, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**Dated this the 13th day of May, 2020**

**ORDER**

Admit. Government Pleader takes notice for respondents 4, 5 and 8. Notice by speed post to the other respondents. The petitioner shall also serve notice on respondents 1, 2, 3, 6 and 7 through e-mail/WhatsApp message. Considering the contents of Ext.P15 report of the Ground Water Department, there will be an interim order directing that pumping from the open well at Choyeth Nademmal, in Ward No. 14 of the first respondent Panchayath shall remain suspended for a period of two weeks.

Post on 25.5.2020.

**GOPINATH.P, JUDGE**

pm

APPENDIX

PETITIONERS EXTS:

EXTS.P1 THE TRUE COPY OF THE DETAILED SCHME REPORT OF THE MATHAH WATER SCHEME IN WARD 14 IN VILLIAPPALLY GRAMA PANCHAYATH OBTAINED AS PER THE RIGHT TO INFORMATION ACT

EXT.P2 TRUE COPY OF THE ANALYTICAL REPORT OF THE WATER SAMPLE OF THE WELL SITUATED ADJACENT TO HOUSE BEARING DOOR NO. 14/361 OF VILLIAPPALLY GRAMA PANCHAYATH

EXT.P3 TRUE COPY OF THE E-MAIL DTD. 4.7.2017 ISSUED BY THE SECRETARY OF THE SNEHA NAGAR RESIDENTS ASSOCIATION TO THE WORLD BANK REPRESENTATIVE

EXT.P4 TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE 1<sup>ST</sup> RESPONDENT DATED 22.

EXT.P5 TRUE COPY OF THE ENVIRONMENTAL DATA SHEET PERTAINING TO THE MATHTH BHAGAM SJVS

EXT.P6 TRUE COP OF THE REPORT DTD. 5.2.2016 ISSUED BY THE HYDRO GEOLOGIST

EXT.P7 TRUE COPY OF THE MASS REPRESENTATION DTD. 3.2.2016 SUBMITTED ON BEHALF OF THE PETITIONER

EXT.P8 TRUE COPY OF THE COUNTER AFFIDAVIT OF 5<sup>TH</sup> RESPONDENT IN W.P.C NO.23231/2017

EXT.P9 TRUE COPY OF THE JUDGMENT IN WPC NO.23231/2017 DTD. 18.1.2019

EXT.P10 TRUE COPY OF THE REPRESENTATION DTD. 23.1.2019 SUBMITTED BY THE 1<sup>ST</sup> PETITIONER BEFORE THE 2<sup>ND</sup> RESPONDENT

EXT.P11 TRUE COPY OF THE PROCEEDINS OF THE 1<sup>ST</sup> RESPONDENT DTD. 23.1.2019

EXT.P12 TRUE COPY OF THE E-MAIL COMPLAINT DTD. 14.4.19

EXT.P13 TRUE COPY OF COMPLAINT DTD. 15.4.19 BEFORE 1<sup>ST</sup> RESPONDENT

EXT.P14 TRUE COPY OF THE RESPONSE OF THE WORLD BANK AUTHORITY DTD 30.4.19

EXT.P15 TRUE COPY OF THE REPORT OF HYDRO GEOLOGIST DTD. 12.6.19

EXT.P16 TRUE COPY OF THE LETTER DTD. 21.9.19 ISSUED TO THE EXECUTIVE DIRECTOR, KRWSA, THIRUVANANTHAPURAM

EXT.P17 TRUE COPY OF THE COMMUNICATION DTD. 30.12.19

EXT.P18 TRUE COPY OF THE E-MAIL DTD. 28.1.2020

EXT.P19 TRUE COPY OF THE EMAIL COMPLAINT DTD. 20.4.2020