

IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT  
THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR  
&  
THE HONOURABLE MR.JUSTICE BASANT BALAJI

Friday, the 26<sup>th</sup> day of September 2025 / 4th Aswina, 1947  
WP(PIL) NO. 124 OF 2025(S)

**PETITIONER:**

APARTMENT OWNERS APEX ASSOCIATION (KERALA) J M MANOR,  
KALOOR, COCHIN, REPRESENTED BY ITS PRESIDENT,  
PROF. V.C.VIJAYAN, AGED 69 YEARS, S/O. CHELLAPPAN NAIR,  
RESIDING AT FLAT NO.5E, PVR SYMPHONY APARTMENT,  
PALLIPURAM P.O., PALAKKAD, PIN - 682017

**RESPONDENTS:**

1. STATE OF KERALA, REPRESENTED BY ITS PRINCIPAL SECRETARY TO THE GOVERNMENT, LOCAL SELF GOVERNMENT DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
2. KERALA STATE POLLUTION CONTROL BOARD, REPRESENTED BY ITS MEMBER SECRETARY, HEAD OFFICE, PATTOM (PO)., THIRUVANANTHAPURAM, PIN - 695004
3. THE ENVIRONMENTAL ENGINEER, KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE-1 ERNAKULAM, GANDHI NAGAR, PIN - 682020
4. KOCHI MUNICIPAL CORPORATION, REPRESENTED BY ITS SECRETARY, KOCHI MUNICIPAL CORPORATION OFFICE, PB NO.1016, PIN - 682021
5. CHIEF ENGINEER SEWERAGE, PPD & WASCON, KERALA WATER AUTHORITY, THIRUVANANTHAPURAM, PIN - 695033
6. KERALA WATER AUTHORITY, REPRESENTED BY THE ASSISTANT EXECUTIVE ENGINEER, OFFICE OF THE ASST. EXECUTIVE ENGINEER, WATER WORKS SUB DIVISION, KALOOR, COCHIN, PIN - 682017
7. KOCHI METRO RAIL LIMITED, REPRESENTED BY THE MANAGING DIRECTOR, JLN STADIUM METRO STATION, 4TH FLOOR, KALOOR, ERNAKULAM, PIN - 682017
8. CENTRAL POLLUTION CONTROL BOARD, PARIVESH BHAWAN, EAST ARJUN NAGAR, DELHI, PIN - 110032

Writ petition (public interest litigation) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(PIL) the High Court be pleased to

i) Issue an interim order directing the 1st and 2nd respondents to file affidavits reporting the progress of the developmental work of the sewerage infrastructure and the usage of funds availed and allocated for the purpose.

P.T.O.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(PIL) and upon hearing the arguments of M/S. JACOB MATHEW MANALIL, PRIYA ELIZABETH BABU & HRISHIKESH JAYASARMAN, Advocates for the petitioner, SRI. SUJITH MATHEW JOSE, Standing Counsel for R5 & R6, SRI. T.NAVEEN, Standing Counsel for R2 & R3, SRI. P.RAMAKRISHNAN, Amicus Curiae and of SRI. V.TEKCHAND, SENIOR GOVERNMENT PLEADER, the court passed the following:

P.T.O.



**NITIN JAMDAR, C.J. & BASANT BALAJI, J.**

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**W.P(C)Nos.40564 of 2022 & 5085 of 2017**

**and**

**W.P(PIL)No.124 of 2025**

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**Dated this the 26<sup>th</sup> day of September, 2025**

**ORDER**

Heard Ms. Surya Binoy, learned counsel for the Petitioner in W.P(C)No.5085 of 2017, Mr. Jacob Mathew Manalil, learned counsel for the Petitioner in W.P(PIL)No.124 of 2025, Mr. P. Ramakrishnan, learned Amicus Curiae, Mr. Georgie Johny, learned Standing Counsel for the Kerala Water Authority, Mr. T. Naveen, learned Standing Counsel for the Kerala State Pollution Control Board, Mr. Sujith Mathew Jose, learned counsel for Respondent Nos.5 & 6 in W.P(PIL)No.124 of 2025 and Mr. V. Tekchand, learned Senior Government Pleader.

2. We have perused the note submitted by the learned Amicus Curiae. The Apartment Owners Apex Association has filed a Public Interest Litigation (PIL) on 22 September 2025 in respect of the sewer network in the city of Kochi and also the associated issues regarding sewage treatment plants. Though the issues raised by the Apartment Owners Association are also reflected in the note filed by the learned Amicus Curiae, it would require consideration.

3. We note that the Apartment Owners Association chose to file the PIL only after mandatory notices had been issued by the Statutory Authorities and that too, when this Court had called upon the Statutory Authorities to

perform their functions. Be that as it may, in the larger public interest, a solution is required to be found for the issue. Therefore, we constitute a high level study group consisting of the Principal Secretary to the Government, Local Self Government Department, the Chairperson of the State Pollution Control Board, the Managing Director of the Kerala Water Authority and the Secretary of the Kochi Municipal Corporation, to study the issues which have been raised in this PIL as well as in the *suo motu* Public Interest Litigation and other petitions, and to submit a report to this Court as regards the long term solutions. The study group has been constituted with these senior officers for a specific purpose, as a solution needs to be found within the framework of law, after considering the necessary infrastructure which is available and required, without there being any unnecessary outside influence. The Study Group has to function without being subjected to populist measures if a long-term scientific solution is to be found. The work shall not be delegated by either of the officers in the study group. The Study Group will submit a preliminary report, outlining the areas that need to be addressed, within a period of four weeks. Thereafter, further time will be granted for submission of a detailed report. The report be filed through the Principal Secretary to the Government, Local Self Government Department.

4. Post on 27 October 2025.

Sd/-  
NITIN JAMDAR,  
CHIEF JUSTICE

Sd/-  
BASANT BALAJI,  
JUDGE

vgd