



2026:KER:24369

W.P.(C) NO. 37948 OF 2023

1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. SOUMEN SEN

&

THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.

WEDNESDAY, THE 18TH DAY OF MARCH 2026/27TH PHALGUNA, 1947

WP(C) NO. 37948 OF 2023

PETITIONER:

**JAISAPPAN MATHAI,
S/O MATHAI, AGED 59 YEARS, KANDATHIL HOUSE,
EDATHWA P.O, KUTTANADU TALUK, ALAPPUZHA DIST.,
PIN - 689573.**

BY ADV SRI.SERGI JOSEPH THOMAS

RESPONDENTS:

- 1 STATE OF KERALA REPRESENTED BY CHIEF SECRETARY
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN
- 695001.**
- 2 THE ADDITIONAL CHIEF SECRETARY,
DISASTER MANAGEMENT (A) DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001.**
- 3 THE SECRETARY,
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001.**
- 4 THE COMMISSIONER,
KERALA STATE DISASTER MANAGEMENT AUTHORITY,
OBSERVATORY HILLS, VIKAS BHAVAN P.O,**



2026:KER:24369

W.P.(C) NO. 37948 OF 2023

2

THIRUVANANTHAPURAM, KERALA, PIN - 695033.

**5 THE DISTRICT COLLECTOR,
COLLECTORATE, ALAPPUZHA DISTRICT, PIN - 688001.**

SMT. VINITHA B., SR.G.P.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY
HEARD ON 18.03.2026, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**



2026:KER:24369

W.P.(C) NO. 37948 OF 2023

3

JUDGMENT

(Dated this the 18th day of March, 2026)

Soumen Sen, C.J.

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.



2026:KER:24369

W.P.(C) NO. 37948 OF 2023

4

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



2026:KER:24369

W.P.(C) NO. 37948 OF 2023

5

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



2026:KER:24369

W.P.(C) NO. 37948 OF 2023

6

this judgment shall also be communicated to the Secretary, District Legal Services Authority of the concerned districts immediately for information and necessary action.

Sd/-

Soumen Sen

Chief Justice

Sd/-

Syam Kumar V.M.

Judge

MMG



2026:KER:24369

W.P.(C) NO. 37948 OF 2023

7

APPENDIX OF WP(C) NO. 37948 OF 2023

PETITIONER EXHIBITS

EXHIBIT P1	TRUE COPY OF G.O (MS) NO. 20/2020/DMD DATED 24/06/2020 ISSUED BY THE 2ND RESPONDENT WITH ENGLISH TRANSLATION
EXHIBIT P2	TRUE COPY OF THE JUDGMENT DATED 15/03/2021 IN W.P (C) NO. 6615 OF 2022
EXHIBIT P3	TRUE COPY OF LETTER NO.DMC 3-198956/2020 DATED 11/05/2021 SENT BY THE 5TH RESPONDENT WITH ENGLISH TRANSLATION
EXHIBIT P4	TRUE COPY OF G.O (RT) NO. 823/2021/DMD DATED 10/12/2021 ISSUED BY THE 2ND RESPONDENT WITH ENGLISH TRANSLATION
EXHIBIT P5	TRUE COPY OF THE REPRESENTATION DATED 22/02/2022 SUBMITTED BY THE PETITIONER BEFORE THE HONORABLE CHIEF MINISTER OF KERALA WITH ENGLISH TRANSLATION
EXHIBIT P6	TRUE COPY OF LETTER NO. MTO LLL/804/2021/ADMIN DATED 06/07/2022 SENT BY THE 4TH RESPONDENT TO THE 2ND RESPONDENT
EXHIBIT P7	TRUE COPY OF LETTER NO. MTO LLL/804/2021/ADMIN DATED 04/01/2023 SENT BY THE 4TH RESPONDENT TO THE 2ND RESPONDENT WITH ENGLISH TRANSLATION
EXHIBIT P8	TRUE COPY OF LETTER NO.DMI2/222/2022-DMD DATED 31/05/2023 SENT BY THE 2ND RESPONDENT TO THE PETITIONER
EXHIBIT P9	TRUE COPY OF REPLY DATED 24/12/2022 RECEIVED UNDER THE RTI ACT WITH ENGLISH TRANSLATION
EXHIBIT P10	TRUE COPY OF THE REQUEST DATED 17/06/2023 SENT BY THE PETITIONER BEFORE THE 5TH RESPONDENT WITH ENGLISH TRANSLATION