

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN
&
THE HONOURABLE MRS. JUSTICE M.B. SNEHALATHA

Tuesday, the 19th day of August 2025 / 28th Sravana, 1947
WP(C) NO. 996 OF 2012(S)

PETITIONER:

PERIYAR MALINEEKARANA VIRUDHA SAMITHI, JANJAGRATHA,
 ELOOR DEPOT, UDYOGAMANDAL-683501,
 REPRESENTED BY ITS RESEARCH COORDINATOR,
 SHRI. PURUSHAN ELOOR, AGED 45 YEARS, S/O. V.V. VELAYUDHAN,
 RESIDING AT SANKHYAPURI, ELOOR NORTH.

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY ITS CHIEF SECRETARY, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM-695001.
2. INDUSTRIES AND COMMERCE DEPARTMENT, REPRESENTED BY ITS PRINCIPAL SECRETARY, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM-695001.
3. CHIEF EXECUTIVE OFFICER, KERALA BUREAU OF INDUSTRIAL PROMOTION (K-BIP), KURUP'S LANE, SASTHAMANGALAM, THIRUVANANTHAPURAM-695010.
4. ELOOR MUNICIPALITY, REPRESENTED BY ITS SECRETARY, UDYOGAMANDAL-683501.
5. CHAIRPERSON, ELOOR MUNICIPALITY, UDYOGAMANDAL-683501.
6. CHIEF REGIONAL MANAGER, NATIONAL INSURANCE COMPANY LIMITED, KOCHI REGIONAL OFFICE, 1ST FLOOR, OMANA BUILDING, JEWS STREET, PADMA JUNCTION-682035.
7. CHIEF REGIONAL MANAGER, NEW INDIA ASSURANCE COMPANY LIMITED, KOCHI REGIONAL OFFICE, 2ND FLOOR, YASORAM VICTORIA TOWERS, BANERJI ROAD, KOCHI-682018.
8. KERALA STATE POLLUTION CONTROL BOARD, PLAMOODU JUNCTION, PATTOM PALACE P.O., THIRUVANANTHAPURAM-695004, REPRESENTED BY ITS CHAIRMAN.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the respondents 1 and 2 to consider and pass orders on Ext.P13 representation made by the petitioner association on behalf of the people of Eloor and to implement the Group Health Insurance Scheme for families in 9 wards of Eloor within a timeframe fixed by this Honourable Court, pending disposal of the above Writ Petition.

P.T.O.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C), this Court's order dated 12/08/2025 and upon hearing the arguments of M/S. K.K.ASHKAR & ASHIRA MOHAMED ASHROF, Advocates for the petitioner, SRI.S.KANNAN, SENIOR GOVERNMENT PLEADER for R1 to R3, M/S. DINESH R.SHENOY, R.V.RAHUL & LIJIN THAMBAN, Advocates for R4, SRI.GEORGE CHERIAN (THIRUVALLA), Advocate for R6, SRI.LAL K.JOSEPH, Advocates for R7 and of SRI. T.NAVEEN, Standing Counsel for R8, the court passed the following:

P.T.0



DEVAN RAMACHANDRAN & M.B. SNEHALATHA, JJ.

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WP(C).Nos.996/2012, 9534/2020, 31236/2023

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23741/2024

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Dated this the 19th day of August, 2025**ORDER****Devan Ramachandran, J.**

The Chief Secretary and other Officers of the State were present online; and there was detailed discussion and deliberation on the issue gripping us.

2. The Chief Secretary requested that he be given some time to go through all the orders passed by this Court; as also the proceedings thereafter and before, saying that considerable thought has already been made by the Government on most of the relevant issues.

3. Sri.S.Kannan – learned Senior Government Pleader, affirmed what the learned Chief Secretary told us and he also requested that some more time be given.

4. Sri.A.X.Varghese and Sri.Kuriakose Varghese, appearing for the various petitioners, however, submitted that the issues are ones of great seriousness and urgency, especially after the monsoons. They added that once the monsoons recede, the river starts to flow normally, the situation would become drastically different from what is presently witnessed.

WP(C).Nos.996/2012 and connected cases

2

5. Sri.A.X.Varghese, in particular, brought our attention back to the issue of "Kuzhikandam Thodu" saying that unless it is clean, nothing worthwhile is going to come out. He impressed upon us that, in spite of our various orders in this regard, as also the suggestions made by the High Level Committee appointed by this Court, not much has changed at the ground level.

6. We, thereupon, asked Sri.S.Kannan about the "Kuzhikandam Thodu" and he affirmed that the situation has not drastically improved, though steps are afoot to get the act in order. He added that the assistance of the Central Government may also be required, as has been already seen by this Court earlier.

7. We must impress upon all stakeholders and officials that this case cannot be treated as an adversarial one.

8. This Court is concerned about the plight of the people, who live upon the waters of the River Periyar, which ought to, therefore, flow pure. The suggestion of a Unified Authority for the River was made by us because such an entity would be in a position to tackle issues immediately, rather than having to reach out to other Authorities for necessary action.

9. On the last posting date, Sri.S.Kannan – learned Senior Government Pleader, had requested for some time to verify whether

WP(C).Nos.996/2012 and connected cases

3

the "Integrated River Basin Conservation and Management Plan" would become feasible; but he now candidly informs us that it may not be in a position to work as far as the River Periyar is concerned.

10. It is thus ineluctable that the suggestion of this Court will have to be now looked into very seriously, to culminate either in a Unified Authority or such other - which is as efficacious and tenable.

Since this Court is closing for the Onam Holidays, we are of the view that further hearing of this matter before it may not be necessary. We, therefore, adjourn this matter to be called on 10.09.2025; and we hope that the Government of Kerala, at least by then, will provide us viable solutions, especially with respect to the "Kuzhikandam Thodu" - of course, which would be to our appreciation if steps for its cleaning is initiated, or completed by then.

**Sd/-
DEVAN RAMACHANDRAN,
JUDGE**

**Sd/-
M.B. SNEHALATHA,
JUDGE**

Mms