



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

&

THE HONOURABLE MRS. JUSTICE M.B. SNEHALATHA

TUESDAY, THE 9TH DAY OF SEPTEMBER 2025 / 18TH BHADRA, 1947

WA NO. 2157 OF 2025

AGAINST THE ORDER/JUDGMENT DATED IN WP(C) NO.32982 OF
2025 OF HIGH COURT OF KERALA

APPELLANTS/5TH AND 8TH RESPONDENTS:

- 1 PAMBA BOAT RACE CLUB REG NO.98/90
NEERETTUPURAM, NEDUMPRAM P.O, THIRUVALLA,
PATHANAMTHITTA (REGISTARION NO. P98/90)
REPRESENTED BY ITS WORKING PRESIDENT BABU
VALIYAVEEDAN, AGED 58, VALIYAVEETIL HOUSE,
NEERETTUPURAM P.O, TAHALAVADY VILLAGE, KUTTANADU
TALUK, PIN - 688561
- 2 BABU VALIYAVEEDAN
VALIYAVEETIL HOUSE, NEERATTUPURAM P.O., THALAVADY
VILLAGE, KUTTANADU TALUK, ALAPPUZHA,, PIN - 688561

BY ADVS.
SRI.JOSEPH GEORGE
SHRI.P.A.REJIMON
SHRI.VIVEKJOS PUTHUKULANGARA

RESPONDENT/WRIT PETITIONERS & RESPONDENTS 1 TO 4,6,7&9:

- 1 PAMBA BOAT RACE CLUB
NEERATTUPURAM, THIRUVALLA, REG NO.274/2007,
REPRESENTED BY ITS WORKING PRESIDENT, VICTOR T.
THOMAS, AGED 61 YEARS, S/O. LATE THOMAS MATHEW,



MULAMOOTTIL THUNDIATH HOUSE, KOZHENCHERRY. P.O.,
PATHANAMTHITTA DISTRICT, PIN - 689641

- 2 PUNNOOSE JOSEPH
 AGED 53 YEARS
 S/O. IYPE JOSE, SECRETARY, PAMBA BOAT RACE CLUB,
 NEERATTUPURAM, THIRUVALLA, RESIDING AT VENGAL,
 PUTHENVEETIL HOUSE, AMICHAKARY. P.O., THIRUVALLA,
 PATHANAMTHITTA DISTRICT, PIN - 689112
- 3 STATE OF KERALA
 REPRESENTED BY THE SECRETARY TO THE GOVERNMENT
 WATER RESOURCES, (IR) DEPARTMENT, GOVERNMENT
 SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
- 4 EXECUTIVE ENGINEER
 KOLLAM IRRIGATION DIVISION, IRRIGATION DEPARTMENT,
 KOLLAM, PIN - 691001
- 5 THE DISTRICT COLLECTOR
 2ND FLOOR, COLECTORATE PATHANAMTHITTA DISTRICT,
 PIN - 689645
- 6 SUB COLLECTOR
 CITY GOVERNMENT OFFICE, THIRUVALLA,
 PATHANAMTHITTA, PIN - 689101
- 7 NEERATTUPURAM JALOLSAVA SAMITHI
 REPRESENTED BY ITS CONVENER PRAKASH PANAVELIL,
 AGED 52, PANAVELIL HOUSE, THALAVADY P.O, THALAVADY
 VILLAGE, KUTTANADU TALUK, ALAPUZHA,, PIN - 688561
- 8 PRAKASH PANAVELI
 AGED 52 YEARS
 PANAVALIL HOUSE, PANAVALAD P.O., THALAVADY VILLAGE,
 KUTTANADU TALUK, ALAPPUZHA DISTRICT,, PIN - 688561
- 9 REJI ABRAHAM
 TAIKKADAVIL HOUSE KADAPRA P.O., THIRUVALLA TALUK,
 PATHANAMTHITTA,, PIN - 689101

OTHER PRESENT:

LIJU V STEPHEN , K P HARISH SR GP



THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON
09.09.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



JUDGMENT

Devan Ramachandran, J.

This appeal is impelled against the interim order of the learned Single Judge, to the extent to which it has modified Ext.P16 order, thus allowing the respondent No.5 to conduct their Boat Race on 12.09.2025.

2. Sri.Joseph George, appearing for the appellants, pointed out that Ext.P16 order of the District Collector permitted his clients to conduct the Boat Race on 12.09.2025 and the 1st respondent Club to conduct theirs on 19.09.2025, after advertizing to all relevant aspects; but that, without any cogent reason, the learned Single Judge has modified that schedule. He argued that the reason cited in the impugned order, that there was a concession offered by him, as also by the learned Government Pleader, that the 1st respondent had been earlier conducting the Boat Race on the Onam days, thus to be allowed to do so on 12.09.2025 – which he pointed out was not an Onam day – was factually incorrect. He thus prayed that this appel be allowed.

3. Sri.Liju V. Stephen, appearing for the 1st respondent, however, submitted that the real reason why the learned Single Judge passed the impugned order was because his client had



originally applied for permission to conduct the Boat Race on 04.09.2025; while the appellants had sought for 05.09.2025. He argued that the appellants are an “Imposter Club” without any authority to conduct any Boat Race; but that, even assuming it is otherwise, then, when the District Collector modified the schedules as originally sought for by the two Clubs, his client ought to have been given priority, thus allowing them to conduct it on 12.09.2025 and consequently permitting the appellants to do so only on 19.09.2025. He argued that, however, what has been done in Ext.P16 is to the contrary; and hence that his client is seriously aggrieved.

4. Sri. K.P.Harish – learned Senior Government Pleader, submitted that Ext.P16 order has been issued by the District Collector in exercise of his legally available discretion, as per the directions of another Bench of this Court in WP(C).No.27903/2024. He argued that neither of the parties obtain any right to seek that they be allowed to conduct Boat Race, much less on a particular day; and therefore, that it is taking into account all logistical and security parameters that the District Collector passed Ext.P16 order. He asserted that, in fact, the 1st respondent had boycotted the meeting called for by the



District Collector before Ext.P16 had been issued; and it is therefore, that he thought it fit to allow the appellants to conduct the Boat Race on 12.09.2025. He affirmed that no concession had been given by the learned Government Pleader before the learned Single Judge, that either of the parties were in, the past, conducting the Boat Race on the Onam Days; and showed us that the District Collector has held in Ext.P16 that such would create law and order issues.

5. We notice from the impugned order that the sole reason why the learned Single Judge has passed it is that an assertion was made by the learned Counsel for the writ petitioners - which were "confirmed by the learned Government Pleader" - that the writ petitioner Association was conducting the Boat Race continuously during Onam season. The order, however, does not disclose that this was, in any manner, admitted to by the appellants herein; and we, therefore, fail to fathom how, on the basis of such assertions, Ext.P16 could have been modified.

6. This is more so when it is without contest – as is acceded to by the learned Counsel on both sides – that none of the parties obtain any constitutional or statutory right to conduct



the Boat Race; and that schedules for it are left to be decided by the competent authorities, including the District Collector, as per law.

7. The argument of Sri.Liju V. Stephen that, since his client had applied for a date prior to the one originally applied for by the appellants, they are entitled to conduct it on the next schedule on an earlier date, does not impress us. *Prima facie*, this was within the discretion of the District Collector.

8. That being said, we are conscious that we are exercising jurisdiction only against the interim order; and that the larger issues; as projected in the Writ Petition, are still to be decided by the learned Single Judge. In fact, the prayer of the 1st respondent herein, as the writ petitioner, was that they be allowed to conduct the race on 04.09.2025, which is now impossible; with an additional plea for an enquiry as to the credentials of the appellant - association. These are surely aspects which the learned Single Judge will consider in due course.

9. In the above circumstances, we allow this appeal and set aside the impugned order; and restore the parties to the schedule as fixed by the District Collector in Ext.P16.



We, however, clarify that we have not entered into the merits of any of the other rival contentions, or reliefs sought, or issues involved; and that they are all left to be decided by the learned Single Judge appropriately.

**Sd/-
DEVAN RAMACHANDRAN,
JUDGE**

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

Mms



APPENDIX OF WA 2157/2025

RESPONDENT ANNEXURES

Annexure R1 (a)	A TRUE COPY OF THE COMMUNICATION ISSUED RDO, THIRUVALLA DATED 06/09/2022
Annexure R1 (b)	A TRUE COPY OF THE COMMUNICATION MADE BY THE 1ST APPELLANT AND OTHERS TO THE 6TH RESPONDENT DATED 31/08/2023
Annexure R1 (c)	A TRUE COPY OF THE COMMUNICATION DATED 06/08/2024 ISSUED BY THE 4TH RESPONDENT TO THE 2ND RESPONDENT
Annexure R1 (d)	A TRUE COPY OF THE ORDER DATED 4/09/2024 ISSUED BY THIS HON'BLE COURT IN WP © NO. 27903/2024
Annexure R1 (e)	A TRUE COPY OF THE COMMUNICATION MADE BY THE TOURISM DEPARTMENT TO THE DIRECTOR GENERAL, MINISTRY DATED 27/07/2025