

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE DR. JUSTICE A.K.JAYASANKARAN NAMBIAR
&
THE HONOURABLE MR.JUSTICE JOBIN SEBASTIAN

Wednesday, the 10th day of September 2025 / 19th Bhadra, 1947
WP(C) NO. 28509 OF 2024(S)

IN RE: PREVENTION AND MANAGEMENT OF NATURAL DISASTERS IN KERALA

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
2. UNION OF INDIA, REPRESENTED BY THE SECRETARY, MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE, INDIRA PARYAVARAN BHAWAN, JORBAGH ROAD, NEW DELHI, PIN - 110 003.
3. THE SECRETARY, DEPARTMENT OF MINING AND GEOLOGY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
4. THE DIRECTOR, DIRECTORATE OF MINING AND GEOLOGY, KESAVADASAPURAM, PATOM PALACE P.O., THIRUVANANTHAPURAM, PIN - 695 004.
5. THE SECRETARY, MINISTRY OF MINES SHASTRI BHAWAN, DR. RAJENDRA PRASAD ROAD, NEW DELHI, PIN - 110 001.
6. THE STATE POLICE CHIEF, KERALA STATE POLICE HEAD QUARTERS, VAZHUTHACAUD, THIRUVANANTHAPURAM, PIN - 695 010.
7. THE COMMISSIONER (*CORRECTED), OFFICE OF THE KERALA STATE DISASTER MANAGEMENT AUTHORITY, OBSERVATORY HILLS, VIKHAS BHAVAN P.O , THIRUVANANTHAPURAM *R7 IS CORRECTED AS "THE KERALA STATE DISASTER MANAGEMENT AUTHORITY, VIKAS BHAVAN P.O, OBSERVATORY HILLS, OPPOSITE KANAKAKKUNNU PALACE, NANTHANCODU, THIRUVANANTHAPURAM, KERALA, 695 033, REPRESENTED BY ITS MEMBER SECRETARY" AS PER ORDER DATED 09/08/2024 IN WP(C).

8. THE SECRETARY, NATIONAL DISASTER MANAGEMENT AUTHORITY, NDMA BHAWAN,A-1, SAFDARJUNG ENCLAVE, NEW DELHI, PIN - 110 029.
9. JAMES VADAKKAN, MANAGING TRUSTEE, CENTRE FOR CONSUMER EDUCATION KP 6/699 VADAKKAN BUILDINGS, MUNDANGAL.P.O, PALA, KOTTAYAM, PIN - 686 575.

ADDITIONAL R10 TO R14 IMPLEADED

10. GEOLOGICAL SURVEY OF INDIA, REPRESENTED BY ITS DEPUTY DIRECTOR GENERAL, HAVING ITS LOCAL OFFICE AT 4TH FLOOR, C BLOCK, KENDRIYA BHAVAN, SEAPORT-AIRPORT ROAD, KAKKANAD, KOCHI, KERALA 682 037.
11. NATIONAL CENTRE FOR EARTH SCIENCE STUDY, REPRESENTED BY THE DIRECTOR, AAKKULAM, THIRUVANANTHAPURAM, POST BOX NO.7250, KERALA 695011.
12. THE SURVEY OF INDIA, REPRESENTED BY THE SURVEYOR GENERAL OF INDIA, OFFICE OF THE SURVEYOR GENERAL OF INDIA, HATHIBARKALA ESTATE, DEHRADUN-248001
13. THE STATE ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY (SEIAA) KERALA, K.S.R.T.C BUS TERMINAL COMPLEX, 4TH FLOOR, THAMPANOUR, THIRUVANANTHAPURAM - 695 001

14. THE COASTAL ZONE MANAGEMENT AUTHORITY, THAMPANOR, KSRTC BUILDING, 4TH FLOOR, OVERBRIDGE, THAMPANOR, THIRUVANANTHAPURAM, KERALA 695 001. *ADDL. R10 TO R14 ARE IMPEADED AS PER ORDER DATED 09/08/2024 IN WP(C).
ADDITIONAL R15 TO R19 IMPEADED
15. UNION OF INDIA, REPRESENTED BY THE SECRETARY, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, TRANSPORT BHAWAN, 1, PARLIAMENT STREET, NEW DELHI-110001.
16. NATIONAL HIGHWAY AUTHORITY OF INDIA, G 5 & 6, SECTOR 10, DWARAKA, NEW DELHI – 110075, REPRESENTED BY ITS CHAIRMAN.
17. CENTRAL WATER COMMISSION, 3RD FLOOR, (SOUTH, SEWA BHAVAN, RK PURAM, SECTOR-1, NEW DELHI – 110066, REPRESENTED BY ITS SECRETARY.
18. INDIAN NATIONAL CENTRE FOR OCEAN INFORMATION SERVICES (INCOIS), "OCEAN VALLEY", PARAGATHI NAGAR (BO), NIZAMPET(SO), HYDERABAD - 500090, TELANGANA, INDIA, REPRESENTED BY ITS DIRECTOR.
19. NATIONAL REMOTE SENSING CENTRE, DEPARTMENT OF SPACE, GOVERNMENT OF INDIA, HYDERABAD – 500 037, TELANGANA. *ADDL.R15 TO R19 ARE IMPEADED AS PER ORDER DATED 16/08/2024 IN WP(C).
ADDITIONAL R20 IMPEADED
20. THE KERALA STATE LEGAL SERVICES AUTHORITY, REPRESENTED BY ITS MEMBER SECRETARY, HIGH COURT COMPOUND, ERNAKULAM, 682 031. ADDL.R20 IS IMPEADED AS PER ORDER DATED 04/10/2024 IN WP(C).
ADDITIONAL R21 IMPEADED
21. THE ELECTION COMMISSION OF INDIA, REPRESENTED BY THE PRINCIPAL SECRETARY, NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI - 110 001. ADDL.R21 IS SUO MOTU IMPEADED AS PER ORDER DATED 25/10/2024 IN WP(C).

This Suo motu writ petition coming again on for orders upon perusing the petition and the affidavit filed in support of WP(C), this Court's order dated 13/06/2025 & 13/08/2025 and upon hearing the arguments of SRI. K. GOPALAKRISHNA KURUP, ADVOCATE GENERAL, SRI. C.E. UNNIKRISHNAN & SRI. V. MANU, SPECIAL GOVERNMENT PLEADERS for R1, R3, R4, R6 & R7, SMT. O.M. SHALINA, DEPUTY SOLICITOR GENERAL OF INDIA for R2, R5 & R15, M/S. JOHNSON MANAYANI, BENHUR JOSEPH MANAYANI & JEEVAN MATHEW MANAYANI, Advocates for R9, SRI. SUVIN R. MENON, CENTRAL GOVERNMENT COUNSEL for R10, SRI. ACHUTH KRISHNAN R., CENTRAL GOVERNMENT COUNSEL for R12, SRI. M.P. SREEKRISHNAN, STANDING COUNSEL for R13, SRI. PRAKASH M.P., STANDING COUNSEL for R14, SRI. SALIL NARAYANAN K.A., Advocate for R16, SRI. V. RAMKUMAR NAMBIAR, Advocate for R20, SMT.S.KRISHNA, Advocate for R8, R10 to R12, R17 to R19, ADDITIONAL SOLICITOR GENERAL OF INDIA and of SRI.RENJITH THAMPAN (SENIOR ADVOCATE), AMICUS CURIAE, the court passed the following:

P.T.O.

DR. A.K.JAYASANKARAN NAMBIAR, J.

&
JOBIN SEBASTIAN, J.

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WP(C) No.28509 of 2024
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Dated this the 10th day of September, 2025

ORDER

Dr. A.K. Jayasankaran Nambiar, J.

Pursuant to our order dated 13.06.2025, an affidavit has now been filed on behalf of respondent No.15, placing on record the circular dated 19.08.2025 along with the final version of the Disaster Management Plan consisting of two volumes (Volume I – Overview and Disaster Management Sub-Plan for Highways and Volume II – Disaster Management Sub-Plan for Road Accidents). The document has been produced as Ext.R15(e). The compliance with our earlier order dated 13.06.2025 is thus recorded.

2. The learned Additional Solicitor General of India submits that on the aspect of waiver of bank loans, there is some ambiguity with regard to the Ministry that has to take a decision on the issue. It is submitted that the matter will be sorted out in consultation with the Additional Solicitor General and a final decision taken in matter within three weeks. While expressing regret for the delay he prays that this matter may be listed after three weeks for the affidavit of the Union Government clarifying their stand on the issue of waiver of bank loans.

3. We have considered the submission and on being satisfied that efforts are still being taken by the Union Government to find a solution to the issue of waiver of bank loans, we deem it appropriate to accept the request of the learned Additional Solicitor General of India for some more time. We accordingly direct that this matter be posted on 08.10.2025, for the affidavit of the Union Government.

Sd/-
DR. A.K.JAYASANKARAN NAMBIAR
JUDGE



Sd/-
JOBIN SEBASTIAN
JUDGE

ncd

APPENDIX OF WP(C) 28509/2024

Exhibit R15(e)

**TRUE COPY OF THE CIRCULAR DATED 19.08.2025 ALONG FINAL
VERSION OF THE DMP. CONSISTING OF TWO VOLUMES (VOLUME-
I: OVERVIEW AND DISASTER MANAGEMENT SUB-PLAN FOR
HIGHWAYS AND VOLUME-II: DISASTER MANAGEMENT SUB-PLAN
FOR ROAD ACCIDENTS)**

