

DEVAN RAMACHANDRAN, J.

=====
WPC(C)Nos.32680/2008 & 34310/2019
=====

Dated this the 1st day of October, 2024

O R D E R

First, I want to make one thing clear. This Court is not sitting in execution and cannot be burdened with the task of overseeing the repair of roads.

2. Enough and more orders, as also judgment, have been issued; and if roads are still in disrepair, causing injuries and deaths to our citizens, then there is a systemic failure.

3. Sri.K.V.Manoj Kumar - learned Senior Government Pleader for the PWD, explained a lot of things; but virtually then went on to say that the Officers are doing their best.

4. I asked myself what this means. Is

it that our citizens have to suffer in silence?

5. In the 21st century, if a citizen has to ask for at least motorable roads, certainly it is a matter of concern. The right to travel is fundamental, and denial of motorable roads is certainly, therefore, unacceptable.

6. The learned *Amici Curiae* - Sri.S.Vinod Bhat and Smt.S.Krishna, had filed several reports on record, but which have obviously not been taken seriously by the Officers concerned.

7. As I have already said above, this Court is not expected or interested in acting as a Court in Execution. The time has now come for this Court to act.

8. As an illustration, the road between Kunnankulam and Thrissur is admittedly in grave disrepair.

Sri.K.V.Manoj Kumar had reported to this Court earlier that two Engineers had been suspended. The condition of the road, he says, has improved, but concedes that it is still some way to go.

9. This Court had earlier passed orders directing the District Collectors to intervene in their capacity as the Chairperson of the District Disaster Management Authority, to treat dangerous potholes on the roads as a man-made cause to potential disaster.

10. This Court really wonders what the District Collector in this case has done. Normally, therefore, I would have been justified in issuing notice to him, to explain his conduct, and show cause why action for contempt be not initiated.

11. Sri.K.V.Manoj Kumar, however, submitted that the District Collector has

initiated some action and sought a week's time to explain. He also added that the Government fully affirms the views of this Court and shares the anguish expressed during the hearing.

12. Sri.B.G.Bidan Chandran - learned Standing Counsel for the NHAI, informed me that there are certain relevant information that his client requires to place on record, regarding the stretch between Aroor and Thuravoor. He also sought a week's time to do so, in the form of a statement/pleading.

I, therefore, adjourn this matter to be called on 09.10.2024, for the above purposes.

Sd/-

DEVAN RAMACHANDRAN

JUDGE