

**FORE THE KERALA STATE HUMAN RIGHTS COMMISSION,
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,
Hon'ble Chairperson**

Dated this the 5th April, 2010.

H.R.M.P.No 464 of 2009.

Petitioner : Manimekhala, W/o Chittezth Sasi,
Kumbalam Village, Ernakulam.

Respondent : Manjali Peter,
Manoth Veedu, Nr. RPMHS, Kumbalam. .

ORDER

The complaint of the petitioner is that she and her family members are using a pathway which is situated on the south of the land of Peter and James to reach the public road and after Peter closed the said way she and her family members are using an artificial bridge constructed with stumps in a distance of 65 meters and during rainy season they are not able to use the said bridge.

In the report submitted by the Tahsildar, Kanayannoor Taluk, it is stated that James, Peter and the petitioner purchased land from one Rosy on three different dates and three different documents and the petitioner was using the pathway on the southern side of the property to reach the public way, later the petitioner could not use the said pathway on account of Puthezth family constructed a compound wall on their property. It is also stated that the petitioner and her family has to use only the artificial bridge to reach the public way which is risky and dangerous and during emergencies the petitioner and family cannot

reach the public way as no vehicle or other transport can reach the house of the petitioner. In the report it is stated that in the place where the artificial bridge is put up earth is filled and the pathway is opened the problem can be solved.

The petitioner accompanied by her husband as well as Mr. V. Sureshkumar representing the Tahsildar are present. Mr. Sureshkumar submits that the petitioner gave a complaint to the Revenue Divisional Officer, (RDO) Fort Kochi, and the enquiry is pending before the said RDO. According to him, he has inspected the place in question and had given a report to the RDO.

In view of the above no further orders are required from this Commission and the RDO, considering the plight of the petitioner and her family, will take adequate steps to do the needful by initiating steps according to law. The RDO will also give an opportunity to the petitioner before any order is passed so that the RDO will have the entire picture before him to enable to pass appropriate orders in the matter.

The petition is closed with the above direction. Send a copy of this order to the RDO, Fort Kochi.

Justice N.Dhinakar,
Chairperson