

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

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

Dated this the 13th March, 2009.

H.R.M.P.No.122/2008

Petitioner : K. Baby, Thodiyil House,
Kottiyam.PO, Kollam

Respondent : Ummar, Jubairiya Manzil,
Kottiyam.P.O, Kollam.

ORDER

The complaint of the petitioner is that respondent Ummar is trying to create false document to take away a property in survey No.569 which belongs to her and that on 7-1-2008 officials from the Kerala State Electricity Board (KSEB) drew an electric line through her property without her consent and that she was abused by the respondent when she raised objections.

In the report submitted by the Deputy Superintendent of Police, Kollam, it is stated that there is a dispute between the parties with regard to the property and Ummar asked for electric connection, which could not be given immediately by the KSEB, and therefore he filed a petition before the High Court of Kerala in WP© No. 357/08 and the High Court directed the KSEB office, Kottiyam, to give immediate connection and therefore the KSEB officials drew the electric line through the Panchayat road in front of the house of the petitioner leading to quarrel between the parties and that the electric line had to be drawn in view of the order of the High Court.

The averments in the complaint and the report show that the first allegation of the petitioner that the respondent is trying to take away her property by false document is a dispute which is in civil nature to which the petitioner has to approach only a judicial forum as this Commission has no jurisdiction over such issues. As regards the second allegation that the KSEB officials drew electric line over her property it is to be stated that the said line was drawn by the KSEB as directed by the High Court of Kerala and therefore this Commission has no jurisdiction to pass orders in matters relating to judicial proceedings. If the petitioner is aggrieved she has to approach the High Court for any other appropriate direction since as stated earlier this Commission cannot sit over the Judgment of the High Court.

The petition is closed.

Justice N.Dhinakar,
Chairperson.