

BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION, THIRUVANANTHAPURAM

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

Dated this the 17th March, 2008.

H.R.M.P.No.1500/07

Petitioner : .Mony,
Sathyamgiri Charitable Trust,
Agathi Mandiram,
Mulavana, Paravoor,
Ernakulam.

ORDER

The petitioner is present. The contents of the report of the District Collector, Ernakulam, were explained to the petitioner.

The grievances of the petitioner is that unauthorized sand mining is being carried out near her house and that she made complaint before the R.D.O. but no action was taken.

In the report of the District, Collector, Ernakulam, it is stated that sand mining was in fact going on near the house of the petitioner causing danger to the property of the petitioner and to the properties of others. It is also specifically mentioned, in the said report, that on account of sand mining in the disputed property the house of one Purushan also was affected and in dangerous condition. The report also admits that on account of sand mining the water level in the nearby wells are going down and that Additional Tahsildar, Parur was instructed to be vigilant against such activities. The petitioner submits me that the R.D.O. has summoned her as well as the respondent but the

respondent has not chosen to appear inspite of repeated adjournments and the enquiry is still pending with the R.D.O. on account of the non appearanc of the respondent. After taking into consideration the nature of the complaint and the admission of the Collector in his report that on account of sand mining houses in the area are in dangerous condition. The R.D.O. is to conduct and complete the enquiry in a time bound manner and it cannot be adjourned the enquiry repeatedly. On the facts and circumstances of the case and in view of the report of the Dist. Collector I direct the R.D.O. to conduct and complete the enquiry within 90 days from the date of receipt of the copy of this order to pass appropriate orders after hearing the petitioner, the respondent and others. The Dist. Collector will also ensure that the enquiry by the R.D.O. is completed within the time frame. A copy of this order will be sent by Regd. Post with A.D. to the R.D.O. Fort Kochi and one copy of this order also send to the District Collector Ernakulam, for compliance. With the above direction the petition is closed.

Justice N.Dhinakar,
Chairperson, KSHRC.