

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

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

Dated this the 5th August, 2010.

H.R.M.P.No.188 of 2009

Petitioner : K. Vinod,
Subhalakshmi, Sreevinayakom,
Pravachambalam, Trivandrum.

Respondent :

ORDER

The complaint of the petitioner

s is that water gets stagnated in their houses at Chackai Junction which is in the midst of National High way and railway line. According to them during the time of construction of railway over bridge and the National Highway some pipes were laid which were blocked by the local residents residing on the other side and on account of the stagnation of water in the area they are suffering and no action was taken inspite of the complaints filed to the District Collector and the Corporation authorities.

A report was received from the Secretary, Thiruvananthapuram Corporation, detailing the steps taken for redressing the grievance of the petitioners.

The 1st petitioner and the Secretary of the Corporation were asked to appear today (5.08.'10) and the 1st petitioner represented by his wife Ms. Sarasamma and the neighbour Francis Joseph are present. The Secretary is represented by Mr.B.S. Jayakumar, Superintending Engineer of the Corporation, is also present.

It is admitted by the Superintending Engineer, Thiruvananthapuram Corporation, that the complaint of the petitioners is true and that water get stagnated on account of the water flowing through a drain which is under the control of the Corporation and also on account of the water flowing through the drain east to west. According to him if a drain is constructed on the eastern side of the property of the petitioners and the water is taken through the said drain to the western side and connected with another drain which is already existed. The petitioners also admit that if such a proposal is accepted and implemented the problem can be solved; both the Corporation and the petitioners submit that there is objection on the part of some other residents living in the area. The averments in the complaint and the report of the Secretary of the Corporation and the submission made before the Commission indicate that the problem can be solved if there is consensus among the residents in the area. According to the Secretary of the Corporation that steps are being taken to solve the problem by negotiating between the parties and the process is going on.

In view of the above facts it is necessary that the Corporation should take all the steps in that direction to solve the problem of water stagnation by conducting an enquiry in the matter during which opportunities should be given all

the parties including who are raising objection for the proposal and thereafter initiate appropriate steps according to law.

With the above views the petition is closed.

Justice N. Dhinakar,
Chairperson.