

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

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

Dated this the 18th December, 2008.

H.R.M.P.No.4093/2008

- Petitioners : 1) J.Thomas,
K.K.Saraswathy Amma (wife),
Deviyod veed, Kulathur,
Uchakkada.P.O,
Thiruvananthapuram. 695 506.
- 2) Thankarajan, Prasanth Bhavan,
Parayamvila, Veerali,
Uchakada.P.O,
Thiruvananthapuram – 695 506.
- 3) Rosbin Raj, Parayamvila,
Veerali, Uchakkda.P.O.,
Thiruvananthapuram – 695 506
- 4) Charals, Thekkuthaipota,
Uchakkada.P.O,
Thiruvananthapuram – 695 506
- 5) Babisarojam, Parayamvila,
Veerali, Uchakkada.P.O,
Thiruvananthapuram –695 506.
- Respondent : 1) N.Kanakaraj, Geetham,
Parayamvila, Kulathoor,
Uchakkada.P.O.
- 2) Chandran, Kunnuvila veed,
Kulathoor, Pozhiyoor.P.O.
- 3) Anilkumar & Prathibha,
Parayamvila, Uchakkada.P.O

ORDER

The complaint of the petitioners is that the respondents obstructed their pathway by digging earth to a depth of 70 feet posing threat to their lives.

In the report submitted by the Secretary, Kulathoor Grama Panchayat it is stated that the pathway in question is a pathway in existence for a long period and being used by the public and that the respondents in fact did obstruct the usage of the pathway by others by digging earth to depth of 70 feet and the Panchayat had taken steps to prevent the respondents from causing obstruction to the public and by directing the owner of the land not to construct wall.

In view of the report it is for the Kulathoor Grama Panchayat to take steps to see that the pathway in question which is being used by the public is not obstructed by the respondents and if necessary, to conduct an enquiry in the matter by giving opportunity to all the parties concerned and then decide the issue according to law.

With the above direction the petition is closed.

Justice N.Dhinakar,
Chairperson.