

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

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

Dated this the 16th August, 2010.

H.R.M.P.No.438 of 2009

Petitioner : Sakunthala, D/o Arundhathi,
Panavila veetil, Athiyannur Desom,
Athiyannur Village.

Respondent : Kumar, S/o Sadanandan,
Panavila veetil, Manaluvila,
Avanakuzhi, Athiyannur.

ORDER

The complaint of the petitioner is that since she refused to give land to the respondent for putting up a road he is harassing her and the respondent mixed poison in her well water and though the sample of the well water was sent for testing the result is not received from the chemical lab so far. According to her, the respondent poured kerosene and poison in her house with an intention to kill her and also destroyed the crops in her property and the complaint to the Police became futile.

A report was called for from the Superintendent of Police (S P), Rural, Tiruvananthapuram, and he forwarded the copy of the report prepared and submitted by him before the Chief Minister of Kerala. In the report the S P has stated that a spot enquiry was conducted during which the petitioner, the respondent and the Health Inspector of Venpakal Health Centre were questioned. In the report it is further stated that the petitioner and the respondent are neighbours and they are not in cordial relationship and that the complaints filed by the petitioner were enquired by the Police in time. According to the report, in respect of the allegation that the well water of the

petitioner is polluted on account of mixing poison, the Health Inspector, Venpakal Health Centre, has stated that the sample of the well water was collected and sent to the Government Analytical Lab, Thiruvananthapuram, on 22-7-2008 and the result, showing that there is no pollution to the well water of the petitioner, was received on 27-8-2008. It is also stated in the report that though an intimation was sent to the petitioner asking her to collect the result from the Venpakal Health Centre she did not turn up and that the petitioner refused to accept the result when the Health Inspector went to her house two times and handed over it personally. According to the S P, the enquiry revealed that the allegations by the petitioner against the respondent are fabricated and also on account of previous enmity and that the respondent was also strictly warned not to create any nuisance to the petitioner.

The statements of the petitioner, the respondent and the Health Inspector, Venpakal Health Centre are annexed to the report.

In view of the above report, no further orders are required on this petition and if the petitioner has any grievance she has to approach the appropriate legal forum for the redressal of her grievance.

The petition is closed.

Justice N. Dhinakar,
Chairperson.