

BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION, THIRUVANANTHAPURAM

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

Dated this the 8th May, 2009.

H.R.M.P.No.694/2009

Petitioners :1) N.Balakrishnapilla, Thaliyaniyil,
Near Legal Metrology Office),
Ponkunnam.P.O – 686 506. Kottayam Dist.
2) Radhambika Balakrishnapilla, do.

Respondent : Asha Maichel, Nadackal,
Ponkunnam.P.O, Kottayam Dist.

ORDER

The petitioners grievance is that the respondent in the HRMP removed earth on the western side of petitioners' house for construction of his house as a result of which his house was damaged and that no action was taken by the Panchayat but on the contrary the Panchayat cut and removed his trees from his property with the help of Ponkunnam Police.

In the report submitted by the Secretary, Chirakkadavu Grama Panchayat, it is stated that the petitioner did not raise any objection when the respondent put up the construction and later on the complaint made by him both parties were summoned for settling the dispute but they did not agree they were advised to approach the court for a settlement. It is further stated in the report that the Ombudsman for Local Self Government in O.P. No.836/08 passed an order in the matter and also directed the parties to approach the Court since the dispute is between two individuals.

In view of the above report no further orders are required as the Ombudsman for Local Self Government already passed an order on the same subject matter and since the dispute which is civil in nature being between two individuals, the petitioner has to approach only the Court.

The petition is accordingly closed.

Justice N. Dhinakar,
Chairperson