

Abstract

The exercise of his right about property is will by person right exercise by oneself or, give others exercise replace or, by virtue of law exercise of a right has replaced person right or, including, the exercise of a right about personality which, person right must is the user by oneself or, usually the user will should have the right to does will any act, has of oneself independently follows the contentment, but, because of, a human coexists in the social, which, differ the faction differs to have the right and differ to duty to that respect the right of one another, the freedom in the exercise of his rights is offering individual then must limit within limit of the law and the peace or, public good morals, because of, with regard to the law authorizes to keep to a person, with the goal for exercise to advantage to oneself, not for a tool destroys others,

From the education meets that, the problems relating to an injury to the owner of an immovable property caused by a person acting in the exercise of his right has to come to since, ancient, in Roman law has a proverb that is famous very, be, *sic utere tuo ut alienum non laedas*, mean use your own property in such a manner as not to injure that of another, in Roman law, the damage to property is the behaviour torts only, from the beginning 12 table of the laws fix the damage to property is the law particularly which, cover about mischief that is the movable, and immovable property, but, the making a mistake aforementioned have the special properties particularly, later in the law *lex Aquilia* (law origin torts), fix the standard of mischief type property extensively,

In common law system the problems relating to an injury to the owner of an immovable property caused by a person acting in the exercise of his right can compare with nuisance, which, distribute two a kind, be, the private, and the public, the private nuisance mean civil wrongs of base to is from the interference about right in land, about physical condition of the immovable property by causing loud sound, trembler, agricultural produce destruction, or, the battle stirs about the right of immovable property owner by the calmness, such as, smoke, or, gases, etc accident stirs about the exercise or, right possession of a

landlord, the public nuisance, mean group of the criminal offence about the right of the community, or, the easiness in the public generally the battle stirs might in the public health, public safety, public good morals

In civil law system, neither will German country or, France differ have principle the exercise of his right causes immovable property owner receives the damage, section 906 of the German civil code have important principle that, right of ownership owner in the land might not prohibit coming in of, steam, smell, smoke, soot, heat, sound, or, the similar interference if, coming in of these thing no, your excellency affect or, not the important factor in applying as, the interference is aforementioned, in order that, by consider locality custom of the immovable property with, code civil part although, 544 section the will regulations assure the right of property owner have the right in using and manage about property, except will prohibited by the provisions of the law or regulations, now the exercise of his right causes immovable property owner receives the damage according to civil code is held to be base to is from 1382 section of civil code, chief heading accident about the plead guilty way torts, although, extremely France jurisprudence will someone tell that the plead guilty as the result of, the interference fells annoyed to are the plead guilty as the result of, thing, which there is the regulation in paragraph 1 of section 1384 of the civil code no matter

Principle of Thai law about the exercise of his right causes immovable property owner is damaged, be a principle the law where use to come to before 4 civil and commercial code have promulgated to enforce ever call that, nuisance case, happen in the Siam begins to assemble new industry, later committeeman can draft to lift 1337 section of the civil and commercial code by live principle of common law and 906, 907 sections of the German civil code compare

From problem using education and the interpretation meet that, the idea about right protection of immovable property owner in foreign countries law neither in common law system, or, civil law system there is the idea want to protect immovable property owner in importance neither the exercise of his right

is will the exercise of his right or follow, the trend in the common law system and the civil law system should bring in rows diagnosing pillar the plead guilty meditation of a person which the exercise of his right causes immovable property owner receives the damage in Thai law, which, for example, the exercise of his right causes immovable property owner is damaged, agreement pillar, and the principle call the compensation.