



WEB COPY

WP No. 5187 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE DR JUSTICE G. JAYACHANDRAN

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

WP No. 5187 of 2023

AND

WMP NO. 7126 OF 2023, WP NO. 7053 OF 2023, WP NO. 7057 OF 2023, WMP NO. 7125 OF 2023, WMP NO. 5190 OF 2023, WMP NO. 6893 OF 2023, WP NO. 6800 OF 2023

Rohithnathan Rajagopal
S/o.Rajagopal No.4, Second Floor, IGP / ADGP
Police quarters, Wallajah road, Triplicane,
Chennai- 600 005.

..Petitioner(s)

Vs

1. The Registrar
State Human Rights Commission, Tamil Nad,
Thiruvaramm, No.143 P.S.Kumarasmay Raja
Salai, (Greenways Road), Chennai- 600 028.
2. The Principal Secretary to Government
Home, prohibition and Excise Department,
Secretariat, Chennai- 600 009.
3. Kannan
S/o.Kathivel Melur Village, Melur Post,
Sivagangai District.
4. The Revenue Divisional Officer
Sivagangai
5. G.Muthumanickam DSP
Sivagangai Sub Division, Collectorate
Complex, Sivagangai District.
6. Rama Andavar
Inspector of Police, I/c Ilayangudi Police



Station, Sivagangai District.

WP No. 7053 of 2023

..Respondent(s)

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G.Muthumanickam
Additional Superintendent of Police, District
Police Officer, Pudupet Road, Tiruppattur District-
635 601.

..Petitioner(s)

Vs

1. The State of Tamil Nadu rep by the
Home Secretary, Fort St. George, Chennai.
2. The Director General of Police
No.1, Dr.Radhakrishnan Road, Mylapore,
Chennai- 600 004.
3. Kannan
S/o.Kadirvel, Melayur Village, Ilayankudi
Taluk, Sivagangai District.
4. Rhohithnathan Rajagopal
Deputy Commissioner of Police, Anna Nagar
District, Greater Chennai Police, Chennai.
5. M.Muthukazhuvan
Additional Personal Assistant (land) sattur
Road, virdhunagar collectorate.
6. Rama Andavar
S/o.Ramar, Konampatti Village, Sangarapuram
Post, uthamapalayam Taluk, Theni District
7. The Registrar (Law), State Human Rights
Commission
Thiruvarangam, No.143, P.S.Kumarasamy Raja
Salai, (Greenways Road), Chennai- 600 028.

..Respondent(s)

WP No. 7057 of 2023

M.Muthukazhuvan
Additional Personal Assistant (land) sattur Road,



virdhunagar collectorate.

..Petitioner(s)

Vs

1. The State of Tamil Nadu rep by the
Home Secretary, Fort St. George, Chennai.
2. The Director General of Police
No.1, Dr.Radhakrishnan Road, Mylapore,
Chennai- 600 004.
3. Kannan
S/o.Kadirvel, Melayur Village, Ilayankudi
Taluk, Sivagangai District.
4. Rhohithnathan Rajagopal
Deputy Commissioner of Police, Anna Nagar
District, Greater Chennai Police, Chennai.
5. G.Muthumanickam
Additional Superintendent of Police, District
Police Officer, Pudupet Road, Tiruppattur
District- 635 601.
6. Rama Andavar
S/o.Ramar, Konampatti Village, Sangarapuram
Post, uthamapalayam Taluk, Theni District
7. The Registrar (Law), State Human Rights
Commission
Thiruvaramangam, No.143, P.S.Kumarasamy Raja
Salai, (Greenways Road), Chennai- 600 028.

..Respondent(s)

WP No. 6800 of 2023

Rama Andavar
S/o.Ramar, Konampatti Vilage, Sangarapuram
Post, Uthamapalayam Taluk, Theni District.

..Petitioner(s)

Vs

1. The State of Tamil Nadu
rep by the home Secretary, Fort St. George,
Chennai.



- ..Respondent(s)

For Respondent(s): Mr.Rajesh for Mr.S.Muthukumar-R1 (WP.5187),
R7(WP.6800 AND 7053),



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Mr.V.Ravi, SGP-RR2 and 4 (WP.5187), RR1&2
(WP.7053 AND 7057 AND WP.6800),

Mr.T.Ananthasekar-R3 (WP.5187, 6800, 7053)

Mr.G.Santhoshkumar-R5(WP.7053)

Order

(Order of the Court was made by Dr.G.Jayachandran J.)

1. This batch of Writ Petitions are directed, against the order, dated 21.07.2022 passed in SHRC Case No.10373 of 2020, by the Tamil Nadu State Human Rights Commission.
2. The facts of the case, in a nutshell, leading to filing of these Writ Petitions and necessary for disposal of the same are that on 04.12.2020, one Nagalakshmi, W/o.Kannan, succumbed to cancer and her family members had arranged for funeral, but due to unseasonal rain, the way to funeral ground was flooded with water and therefore, they were not able to carry the body through the usual pathway. When they took an alternative route to the funeral ground, the members of the other Community, who were living in that route, had protested the carrying of the body through the said alternative route. There was a communal clash between the two groups. On receiving the information, the Police Team, along with the Officials of the Revenue Department, had arrived at that place. A peace talk between the said two communal groups was held and ultimately, after 12 hours, the body was taken to the burial ground. This was widely reported in the visual media through the



BBC News Channel. The Tamil Nadu State Human Rights Commission, on seeing the news, took up the matter suo motu and ordered for enquiry and ultimately, by the impugned order, awarded a compensation of Rs.5,00,000/- to the family members of the deceased, Nagalakshmi and also recommended for departmental action and criminal action against the erring Police Officials and the Revenue Authorities. Being aggrieved by the said recommendation of the Tamil Nadu State Human Rights Commission, (1) Rohithnathan Rajagopal, the then Superintendent of Police, Sivagangai District, (2) Rama Andavar, the then Inspector of Police, Ilayangudi Police Station, Sivagangai District, (3) G.Muthumanickam, the then Deputy Superintendent of Police, Sivagangai Sub Division and (4) M.Muthukaluvan, the Personal Assistant, Virudhunagar Collectorate, are before this Court, by way of these Writ Petitions.

3. The learned counsel for the Petitioners would submit that the Tamil Nadu State Human Rights Commission has failed to take note of the fact that it was during the Covid Pandemic Restriction Period and at that time, there was a restriction of congregation of persons. The funeral procession was not in the regular route, but in the alternative route. The alleged strategic violence between the two communal groups was never anticipated by the Police. However, on receipt of the intimation about the clash, the Police Team along with the Revenue Officials immediately rushed to the spot and took necessary action to defuse the tension and also registered criminal cases in Cr.Nos.441



and 442 of 2020. While so, the Tamil Nadu State Human Rights Commission, without considering the factual back ground, by suo motu, had taken cognizance of the incident and had found fault with the Police Officials and the Revenue Authorities, who, in fact, acted speedily to defuse the tension, within a reasonable time.

4. The learned counsel for the 3rd Respondent, namely, Kannan, has submitted that the body of Nagalakshmi was not allowed to be buried by the rival group, though the distance was hardly 300 meters to the burial ground. He would further submit that a separate Writ Petition has been filed before the Madurai Bench of the Madras High Court, Madurai, claiming a compensation of Rs.5 lakhs and the same is pending.
5. We have given our anxious consideration to the rival submissions of the learned counsel on either side.
6. We note that the incident had taken place during the Covid Pandemic Period and the people were at a constant fear of the epidemic. The route, in which the body of the deceased, Nagalakshmi, was taken, is not the regular route for the funeral ground. The spontaneous clash between the two communities in the Village is not the fault of the Police Officials and the Revenue Authorities. The action taken by the Police appears to be fair, instant and adequate. There is no element of evidence to show that the Police Officials and the Revenue authorities erred in preventing the atrocity alleged. Therefore, the recommendation of the Tamil Nadu State Human Rights



Commission to take suitable departmental action and criminal action against the erring Police Officials and the Revenue Officials is totally misplaced and ill-founded. Therefore, the impugned order is liable to be set aside.

7. In the result, these Writ Petitions are allowed, as prayed for. The impugned order, dated 21.07.2022 passed in SHRC Case No.10373 of 2020, by the Tamil Nadu State Human Rights Commission is set aside. There is no order as to costs. Consequently, the connected WMPs are closed.

(G.J.,J.) (S.S.A.,J.)
11-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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**DR.G.JAYACHANDRAN J.
AND
SHAMIM AHMED J.**

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2023,WMP NO. 7125 OF 2023,WMP NO. 5190 OF 2023,WMP NO. 6893
OF 2023,WP NO. 6800 OF 2023**

11-03-2026



To

1. The Registrar
State Human Rights Commission, Tamil Nad,
Thiruvarangm, No.143 P.S.Kumarasmay Raja
Salai, (Greenways Road), Chennai- 600 028.
2. The Principal Secretary to Government
Home, prohibition and Excise Department,
Secretariat, Chennai- 600 009.
3. Kannan
S/o.Kathivel Melur Village, Melur Post,
Sivagangai District.
4. The Revenue Divisional Officer
Sivagangai
5. G.Muthumanickam DSP
Sivagangai Sub Division, Collectorate
Complex, Sivagangai District.
6. Rama Andavar
Inspector of Police, I/c Ilayangudi Police
Station, Sivagangai District.

WP No. 7053 of 2023

To

1. The State of Tamil Nadu rep by the
Home Secretary, Fort St. George, Chennai.
2. The Director General of Police
No.1, Dr.Radhakrishnan Road, Mylapore,
Chennai- 600 004.
3. Kannan
S/o.Kadirvel, Melayur Village, Ilayankudi
Taluk, Sivagangai District.
4. Rhohithnathan Rajagopal
Deputy Commissioner of Police, Anna Nagar
District, Greater Chennai Police, Chennai.
5. M.Muthukazhuvan
Additional Personal Assistant (land) sattur



Road, virdhunagar collectorate.

6. Rama Andavar
S/o.Ramar, Konampatti Village, Sangarapuram
Post, uthamapalayam Taluk, Theni District
7. The Registrar (Law), State Human Rights
Commission
Thiruvaramangam, No.143, P.S.Kumarasamy Raja
Salai, (Greenways Road), Chennai- 600 028.

WP No. 7057 of 2023

To

1. The State of Tamil Nadu rep by the
Home Secretary, Fort St. George, Chennai.
2. The Director General of Police
No.1, Dr.Radhakrishnan Road, Mylapore,
Chennai- 600 004.
3. Kannan
S/o.Kadirvel, Melayur Village, Ilayankudi
Taluk, Sivagangai District.
4. Rhohithnathan Rajagopal
Deputy Commissioner of Police, Anna Nagar
District, Greater Chennai Police, Chennai.
5. G.Muthumanickam
Additional Superintendent of Police, District
Police Officer, Pudupet Road, Tiruppattur
District- 635 601.
6. Rama Andavar
S/o.Ramar, Konampatti Village, Sangarapuram
Post, uthamapalayam Taluk, Theni District
7. The Registrar (Law), State Human Rights
Commission
Thiruvaramangam, No.143, P.S.Kumarasamy Raja
Salai, (Greenways Road), Chennai- 600 028.

WP No. 6800 of 2023



To

1. The State of Tamil Nadu
rep by the home Secretary, Fort St. George,
Chennai.
2. The Director General of Police
No.1, Dr.Radhakrishnan Road, Mylapore,
Chennai- 04.
3. Kannan
S/o.Kadirvel, Melayur Village, Ilayankudi
Taluk, Sivagangai District.
4. Rhohithnathan Rajagopal
Deputy Commissioner of police, Anna Nagar
District, Greater Chennai Police, Chennai.
5. Revenue Divisional Officer, Sivagangai
now a Additional personal Assistant (Land)
Sattur Road, Virdhunagar Collectorate.
6. G.Muthumanickam
Additional Superintendent of Police, District
Police officer, Pudupet Road, Tiruppattur
District- 635 601.
7. The REgistrar (Law)
State Human Rights Commission,
Thiruvarangam, No.143, P.S. Kumarasamy
Raja Salai, (Greenways Road), Chennai- 600
028.