



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2026

CORAM

**THE HON'BLE DR JUSTICE G. JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE E.MANOHARAN**

Writ Petition No. 9589 of 2011

K.Sheela

..Petitioner

Vs

1. State Human Rights Commission
Rep, by the Registrar,
Thiruvaramangam Maaligai,
No.143 P.S. Kumarasamy Raja Salai, R.A.
Puram, Chennai 28.
2. G.Raghunathan
3. The State of Tamilnadu
Rep by the Principal Secretary,
Home (Police) Department,
Secretariat, St. Fort George, Chennai 9
4. E.Venkatesan
Inspector of Police,
PEW, Thirukalukundram.

..Respondents

Prayer: Writ Petition has been filed under Article 226 of Constitution of India, to issue Writ of Certiorari, to call for the records of the order dated 21.2.2011 made in SHRC Case No. 6672 of 2008 on the file of the 1st respondent and to quash the same.

For Petitioner:

Mr.V.R. Thangavelu



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For Respondents:

No appearance For R1

Mr.B.Sivakollapan

Additional Government Pleader for R3

Notice not ready for R2 and R4

ORDER

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

On a complaint given by one Raghunathan, the State Human Rights Commission has taken the matter for consideration regarding the alleged human rights violation against the petitioner, who was then a Sub-Inspector of Police attached to the Prohibition Enforcement Wing (PEW), Thirukalukundram and one E.Venkatesan, Inspector of Police, PEW, Thirukalukundram.

2. The brief facts of the case are that the police personnel attached to PEW, Thirukalukundram, on 16.07.2008 at about 7.00 p.m., were engaged in destroying seized illicit arrack. The local public objected to this as it was causing a public nuisance. In the said altercation, the complainant, Raghunathan, along with one Thulasi, questioned the irresponsible action of the police. This infuriated the police, resulting in Raghunathan being beaten up, which caused injury to his upper lip and confinement in the lockup. After the intervention of the villagers, he was let out. In this regard, a complaint against the erring police officials was lodged by the public at the Madurantakam Police the next day. On the following day i.e., 18.07.2008, the injured Raghunathan got admitted to the Government hospital as an inpatient underwent treatment



and obtained a wound certificate. Thereafter, the complaint was placed before the State Human Rights Commission, which took cognizance of the matter.

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3. Before the State Human Rights Commission, the complainant as well as the respondents participated and their evidence was recorded. The State Human Rights Commission concluded that Mr.E.Venkatesan, Inspector of Police, and Ms.K.Sheela, Sub-Inspector of Police (the writ petitioner herein), had violated the human rights of the complainant, Raghunathan. Therefore, it directed the Government to compensate the injured victim by paying Rs.15,000/- and ordered the said amount to be recovered from E.Venkatesan and K.Sheela at the rate of Rs.10,000/- and Rs.5,000/- respectively.

4. Being aggrieved, K.Sheela, Sub -Inspector of Police, filed the present Writ Petition 9589 of 2011. Though notice was sent to the complainant, it was returned unserved.

5. The learned counsel appearing for the petitioner submitted that except for vague allegations regarding the presence of the writ petitioner at the site, there was no other allegations or evidence to show that the injury sustained by Raghunathan was caused by the writ petitioner. He further submitted that it was the complainant and Thulasi who, in an inebriated condition, came to the



spot where the officials were on duty destroying illicit arrack and abused her and Inspector of Police in filthy language, unmindful of the fact that she is a woman. Hence, they were taken into custody and later let out. It was contended that no incident of physical assault took place, the injury alleged by the said Raghunathan was not caused by her and the wound certificate obtained two days after the occurrence is not reliable.

6. We have gone through the complaint and the deposition of the petitioner herein, which present diametrically opposite facts. However, on perusing the complaint, the evidence of the complainant and the examination of PW.1 and his associates Thulasi (PW.2), the injury sustained is attributed only to the Inspector of Police, E.Venkatesan. The presence of the petitioner, Sheela, as the Sub-Inspector of Police attached to PEW at the site, is not denied. The reason for the complainant and Thulasi to go to the spot near the police station where the illicit arrack was being destroyed was attempted to be justified by the complainant as registering the protest against setting fire to illicit arrack in public.

7. Considering the facts and the sequence of events, the Commission rightly held that the untoward incident has taken place. Believing the evidence of the complainant, the injury found on the body was duly proved and attributed to the police officials; hence, both the Inspector of Police and the Sub-Inspector of Police were held responsible for the human rights violation. That apart, The



Commission awarded a compensation of Rs.15,000/-, out of which the Government was directed to collect Rs.5,000/- from the writ petitioner. So far as the compensation is concerned, we are not inclined to interfere. However, recording the order of recovery from the petitioner herein, we find that the alleged assault was not committed by the writ petitioner. Her presence at the spot was in the course of discharging her official duty. Whether the assault was due to provocative language used by the complainant or was an unprovoked action, the writ petitioner cannot be held responsible. Hence, we interfere with the order of the State Human Right Commission so far as the recovery of money from the writ petitioner is concerned. To that extent, the order of the State Human Right Commission is set aside.

8. Accordingly, this Writ Petition is partly allowed. No costs.

(Dr.G.J.,J.) (E.M.,J.)
13-08-2026

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

rpl

To

1.The Registrar,
State Human Rights Commission,
Thiruvarangam Maaligai,
No.143 P.S. Kumarasamy Raja Salai,
R.A. Puram, Chennai 28.



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2. The Principal Secretary,
Home (Police) Department,
Secretariat, St. Fort George,
Chennai 9.

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WP No. 9589 of 2



DR.G.JAYACHANDRAN J.
and
E.MANOHARAN J.

rpl

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