



W.P(MD)Nos.2791 and 2792 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2026

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
and
THE HONOURABLE MR.JUSTICE N.DILIP KUMAR**

**W.P(MD)Nos.2791 and 2792 of 2022
and
WMP (MD) Nos.2464 to 2467 of 2022**

S.Ramakrishnan
S.Sathish Kumar

... Petitioner in WP(MD) No.2791/2022
... Petitioner in WP(MD) No.2792/2022

VS.

1. The Assistant Registrar,
The State Human Rights Commission,
Tamil Nadu,
Thiruvarangam,
No.143, P.S.Kumarasamy Raja Salai,
(Greenways Road),
Chennai - 600 028.

2. The Principal Secretary to Government,
Home Department,
Fort St.George,
Chennai - 600 009.

3. R.Jayaraj
(SHRC Case No.2974/2019)

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4. K.Veerapandian
(SHRC Case No.2975/2019)

... Respondents
in both WPs

COMMON PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari by calling for the entire records pertaining to the order passed by the first respondent in S.H.R.C. Nos. 2974 and 2975 of 2019 dated 30.11.2021 and quash the same in so far as he is concerned.

For Petitioner	: Mr.R. Anand (in both WPs)
For Respondents	: Ms.J.Saranya, Govt. Adv. (R1 & R2)
	: Mr.J.Selva (R3 & R4) (in both WPs)

COMMON ORDER

(Order of the Court was made by M.DHANDAPANI, J.)

Aggrieved by the common order dated 30.11.2021 passed by the State Human Rights Commission, these writ petitions have been filed.

2. The petitioners are the Deputy Superintendent of Police and the Inspector of Police. The private respondents lodged a complaint before the State Human Rights Commission, which was numbered as S.H.R.C. Case Nos.2974 and 2975 of 2019. The State Human Rights Commission, by the impugned order



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dated 30.11.2021, awarded compensation of Rs.50,000/- and directed the petitioners to pay Rs.25,000/- each. Challenging the same, the present writ petitions have been filed.

3. The learned counsel appearing for the petitioners would submit that the case of the complainants before the State Human Rights Commission was that, when they had gone to the Sub-Registrar Office, Sattur, for registration of a sale deed, the Sub-Inspector of Police attached to the Sattur Police Station deflated the tyre of their two-wheeler and that the same was recorded in a mobile phone by one Veerapandi, who is one of the complainants. Aggrieved over the same, the complainants allegedly confronted the Sub-Inspector of Police and thereafter claimed that they were assaulted by the police and remanded before the Judicial Magistrate. The complainants also made statements before the learned Judicial Magistrate with regard to the wounds sustained by them, alleging that they were assaulted by the police.

4. In order to substantiate their case, the complainants were examined as P.W.1 and P.W.2 and Exhibits P.1 to P.20 were marked. On the other



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hand, the petitioners were also examined as R.W.1 to R.W.8. However, without any discussion with regard to the statements of the witnesses examined on behalf of the petitioners, the State Human Rights Commission abruptly considered the statements of the complainants and arrived at a conclusion that there was a violation of human rights and awarded compensation, which is not sustainable in law.

5. The learned counsel appearing for the petitioners would further submit that, admittedly, when the complainants were standing near the Sub-Registrar Office, they had a quarrel with Thangapandi, who was examined as R.W.8. On the complaint lodged by Thangapandi, a case in Crime No.319 of 2019 was registered for the offences under Sections 294(b), 323, 506(1) of IPC. Though the FIR was registered at about 2.00 p.m., the complainants were arrested at about 4.45 p.m. At the time of arrest, they attempted to escape from the police and in the process, fell into a ditch and sustained simple injuries. The same was recorded in the arrest memo dated 16.05.2019. Thereafter, they were enlarged on bail on 21.05.2019. However, the complaint before the State Human Rights Commission was lodged only on 06.06.2019, alleging that the occurrence had



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6. The learned counsel would further submit that there was, in fact, no violation of human rights. The complainants had given a different version before the Commission without properly explaining the contents of the FIR registered against them. There is also no proper discussion with regard to the evidence of the witnesses examined on behalf of the petitioners as R.W.1 to R.W.

8. The impugned order of the Commission, therefore, suffers from non-application of mind. Hence, the learned counsel would pray for allowing the writ petitions.



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7. Per contra, the learned Government Advocate appearing for the respondents 1 and 2 would submit that one of the complainants, namely, Veerapandian, himself admitted before the Commission that he was admitted in the Government Hospital on 23.05.2019, after his enlargement on bail. He specifically stated that two persons had assaulted him near the Sub-Registrar Office on 16.05.2019 and that, after his arrest, four police officials assaulted him in the police station. Though the names of the police officials were not mentioned in the A.R. copy, the medical records dated 23.05.2019, which were marked before the Commission, corroborate the injuries sustained by the complainant.

8. The learned Government Advocate would further submit that the Commission, after considering the materials placed before it, arrived at a conclusion that there was a violation of human rights on the part of the petitioners and awarded compensation. Therefore, the impugned order does not warrant interference and the writ petitions are liable to be dismissed.



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9. We have heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondents and perused the materials available on record.

10. On a careful consideration of the materials placed before this Court, it is seen that the State Human Rights Commission has considered the statements of the complainants and the materials produced before it. However, the impugned order does not disclose any proper discussion or appreciation of the evidence of the witnesses examined on behalf of the petitioners as R.W.1 to R.W.

8. More particularly, the Commission has not adequately considered the circumstances surrounding the registration of Crime No.319 of 2019, the arrest of the complainants, the arrest memos and the delay in lodging the complaint before the Commission.

11. Further, insofar as the petitioner who was the first petitioner/Deputy Superintendent of Police is concerned, there does not appear to be any specific allegation attributing any overt act to him. The impugned order



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also does not disclose any independent reasoning as to how vicarious liability can be fastened upon him merely on account of his official position.

12. In the absence of a proper consideration of the entire evidence and materials available on record, we are of the view that the impugned order of the State Human Rights Commission cannot be sustained.

13. Accordingly, the impugned order passed by the State Human Rights Commission in S.H.R.C. Case Nos.2974 and 2975 of 2019 are set aside. The writ petitions are allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

[M.D.I.,J.] & [N.D.K.,J.]
19.08.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN



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