



W.P(MD)No.10990 of 2021

WEB CO **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 14.08.2026

CORAM:

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

**W.P(MD)No.10990 of 2021
and W.M.P(MD)Nos.8626 & 8627 of 2021**

M.Dayananth

... Petitioner

VS.

1.The State Human Rights Commission,
Tamil Nadu, Thiruvaramam,
No.143, P.S.Kumarasamy Raja Salai,
(Greenways Road), Chennai – 600 023.

2.M.Patturajan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records of the impugned order No.SHRC case No.4404 of 2019 dated 16.04.2021 of the first respondent as arbitrary and illegal and quash the same.

For Petitioner	: Mr.T.Indrachithu
For Respondents	: Mr.R.Karunanithi (R1)
	: Mr.S.Louis (R2)



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ORDER

(Order of the Court was made by N.DILIP KUMAR, J.)

Challenging the order passed by the State Human Rights Commission in S.H.R.C.No.4404 of 2019, dated 16.04.2021, the petitioner, who was then working as Sub-Inspector of Police, Nazareth Police Station, has filed the present Writ Petition before this Court.

2.The learned counsel appearing for the petitioner would submit that, on 18.03.2019, a complaint was received from the second respondent, alleging that he had picked up a quarrel with one Ganesan and that both of them had assaulted each other. Based on the complaint, a case in Crime No. 35 of 2019 was registered against the said Ganesan, and a counter case in Crime No.36 of 2019 was registered on the complaint of Ganesan against the second respondent. The second respondent was arrested on 20.03.2019 and, as he was found to be suffering from high blood pressure, he was referred to the Government Hospital, Thoothukudi, where he underwent treatment from



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WEB COURT 20.03.2019 to 22.03.2019. Thereafter, he was released on bail. Subsequently, he lodged a complaint before the State Human Rights Commission alleging that, on 20.03.2019, the petitioner had assaulted him with a palm baton and lathi while he was in police custody.

3.Under the impugned order, the State Human Rights Commission directed the writ petitioner to pay a compensation of Rs. 1,00,000/- to the complainant, M.Patturajan, and also recommended initiation of disciplinary action against the writ petitioner.

4.It is the case of the writ petitioner that the State Human Rights Commission failed to properly appreciate the materials available on record and arrived at an erroneous conclusion that the writ petitioner had violated the human rights of the complainant. The learned counsel would particularly refer to the remand report, wherein there was no record of any injuries having been caused to the complainant. Accordingly, he prayed for interference with the order passed by the State Human Rights Commission.



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5.Per contra, the learned counsel appearing for the second respondent would submit that a case and counter case were registered in Crime Nos.35 and 36 of 2019 in respect of the occurrence that took place on 18.03.2019 and 19.03.2019 involving the second respondent and one Ganesan.

6.It is the specific grievance of the complainant that, on 20.03.2019, he was arrested by the writ petitioner and brutally assaulted with a palm baton, resulting in grievous injuries. It is further submitted that, due to the threat exerted by the writ petitioner, the complainant did not inform the learned Judicial Magistrate about the assault when he was produced before the Court. When he was thereafter produced before the prison authorities, they noticed the injuries and referred him to the Government Hospital, Thoothukudi, for treatment. Before the Doctor, the complainant specifically stated that he had been assaulted by the writ petitioner. It is



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therefore submitted that the materials produced before the State Human Rights Commission substantially established that the complainant had suffered injuries while in police custody. Hence, the learned counsel prayed for dismissal of the Writ Petition.

7.The learned counsel appearing for the State Human Rights Commission would submit that this Court may pass appropriate orders on the merits of the case.

8.As rightly submitted by the learned counsel appearing for the complainant, in respect of the occurrence dated 18.03.2019, a case and counter case were registered against the complainant and the said Ganesan in Crime Nos.35 and 36 of 2019. However, the alleged assault upon the complainant by the writ petitioner is stated to have occurred only on 20.03.2019, subsequent to his arrest.

9.If the injuries sustained by the complainant were attributable to



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the occurrence between him and Ganesan on 18.03.2019, the writ petitioner, being the investigating police officer, ought to have referred the complainant for medical examination and treatment. However, the materials available on record indicate that, only after his arrest on 20.03.2019 and production before the prison authorities, the injuries were noticed and he was thereafter referred to the Government Hospital, Thoothukudi.

10.Further, before the Doctor, the complainant specifically stated that the injuries were caused by the writ petitioner. During the course of his cross-examination, the complainant also stated that, due to the threat exerted by the writ petitioner, he did not inform the learned Judicial Magistrate that he had been assaulted by the police. In the above circumstances, the finding arrived at by the State Human Rights Commission that the injuries sustained by the complainant were attributable to the writ petitioner cannot be said to be perverse or unsupported by the materials available on record. Therefore, the said finding does not warrant interference by this Court.



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11.However, considering the nature of the complaint, the circumstances of the case and the quantum of compensation awarded, we are inclined to reduce the compensation from Rs.1,00,000/- to Rs.10,000/-. To that extent, the impugned order passed by the State Human Rights Commission is modified.

12.As regards the recommendation made by the State Human Rights Commission for initiation of disciplinary proceedings against the writ petitioner, the competent authority shall initiate the disciplinary proceedings in accordance with law and conclude the same, after affording a reasonable opportunity of hearing to the writ petitioner.

13.Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

[M.D.I.,J.] & [N.D.K.,J.]
14.08.2026

NCC : Yes / No
Index : Yes / No



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To

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