



W.P(MD)Nos.11792 to 11794 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2026

CORAM:

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

**W.P(MD)Nos.11792 to 11794 of 2019
and
WMP (MD) Nos.8922, 8924 and 8926 of 2019**

W.P(MD)No.11792 of 2019

S.Subramanian

... Petitioner(s)

vs.

1. The State Human Rights Commission,
No.143, P.S.Kumarasamy Salai,
Greenways Road, Chennai-28.

2. S.Arumugam

3. I.Murugan,
VAO, Karivalamvanthanallur,
Sankarankovil District,
Tirunelveli District.

4. R.Sankareswari,
Revenue Inspector,
Karivalamvanthanallur,

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Sankarankovil District,
Tirunelveli District.

5. The Tahsildar(Revenue),
Ambasamudram Taluk,
Ambasamudram,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records relating to the impugned order passed by the 1st respondent commission in SHRC Case No. 2883 of 2018, dated 29.01.2019 and the consequential order of the 5th respondent in Na.Ka.No. A5/1768/2019, dated 06.05.2019, and quash the same.

W.P(MD)No.11793 of 2019

I.Murugan

... Petitioner(s)

vs.

1. The State Human Rights Commission,
No.143, P.S.Kumarasamy Salai,
Greenways Road, Chennai-28.

2. S.Arumugam

3.R.Sankareswari,
Revenue Inspector,
Karivalamvanthanallur,
Sankarankovil District,
Tirunelveli District.

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4.S.Subramanian

Special Deputy Tahsildar (Election),
Ambasamudram Taluk,
Tirunelveli District.

5. The Tahsildar(Revenue),
Ambasamudram Taluk,
Ambasamudram,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records relating to the impugned order passed by the 1st respondent commission in SHRC Case No. 2883 of 2018, dated 29.01.2019 and the consequential order of the 5th respondent in Na.Ka.No. A5/1555/2019, dated 06.05.2019, and quash the same.

W.P(MD)No.11794 of 2019

R.Sankareswari

... Petitioner(s)

vs.

1. The State Human Rights Commission,
No.143, P.S.Kumarasamy Salai,
Greenways Road, Chennai-28.

2. S.Arumugam

3I.Murugan,
VAO, Karivalamvanthanallur,
Sankarankovil District,

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Tirunelveli District.

4.S.Subramanian
Special Deputy Tahsildar (Election),
Ambasamudram Taluk,
Tirunelveli District.

5. The Tahsildar (Social Security Scheme),
Ambasamudram Taluk,
Sankarankovil Taluk,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records relating to the impugned order passed by the 1st respondent commission in SHRC Case No. 2883 of 2018, dated 29.01.2019 and the consequential order of the 5th respondent in Na.Ka.No. A5/1556/2019, dated 05.05.2019, and quash the same.

For Petitioners	: Mr.M.Muthugeethayan (in all WPs)
For Respondents	: Mr.Gokul Abimanyu for M/s.C.Arul Vadivel @ Sekar Associates (R1)
	: Mr.F.X.Eugene (R2)
	: Mr.M.Mahaboob Athiff (R3 to R5) Special Government Pleader (in all WPs)



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COMMON ORDER

M.DHANDAPANI, J.
and
N.DILIP KUMAR, J.

The present writ petition has been filed challenging the order dated 29.01.2019 passed by the first respondent in SHRC Case No. 2883 of 2018 and the consequential order passed by the fifth respondent dated 06.05.2019.

2. The learned counsel appearing for the petitioners would submit that the petitioners are the Zonal Deputy Tahsildar, Village Administrative Officer and Revenue Inspector at the relevant point of time. The private respondent, namely, Arumugam, made an application before the Tahsildar for issuance of a Community Certificate as “Veerakudi Vellalar”. However, the same was refused to be issued by the respective respondent without conducting any enquiry. Aggrieved over the same, the private respondent made a complaint before the State Human Rights Commission alleging violation of his human rights. Pursuant



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to the same, the Human Rights Commission passed the impugned order awarding compensation in favour of the second respondent and also issued a direction to the concerned authority to issue a Community Certificate to son of the complainant. Challenging the said order, the present writ petitions have been filed.

3. The learned counsel appearing for the petitioner would submit that the Human Rights Act defines 'Human Rights' and the 'Functions of the Human Rights Commission'. However, the said Act does not confer any jurisdiction on the Human Rights Commission to conduct this type of enquiry with regard to the refusal of issuance of a Community Certificate by the authority. Even assuming that the petitioners refused to issue a Community Certificate in favour of the second respondent, the remedy available to the private respondent is to prefer an appeal before the appropriate authority under the mechanism available by way of Government Orders. Without exhausting the mechanism available, the private respondent cannot approach the State Human Rights Commission. Further, the issue relating to the petitioner's public function is not adjudicable by the Human Rights Commission on the sole ground that the petitioner is a public servant.



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4. The learned counsel appearing for the second respondent would submit that this Court may grant liberty to the second respondent to prefer an appeal with regard to the non-issuance of the Community Certificate or issuance of the Community Certificate, before the concerned authority in the manner known to law.

5. This Court has carefully considered the submissions made by the learned counsel appearing for the parties and perused the materials available on record.

6. A perusal of the order impugned indicates that the State Human Rights Commission apart from passing an order for compensation had gone ahead and recommended that the Government of Tamil Nadu shall direct the respondent/Zonal Deputy Tahsildar to issue a community certificate to the complainant's son as Veerakudi Vellalar, which is recognized as a Backward Class. We are emphatic in our finding that such a power is certainly not available with the State Human Rights Commission. There is an independent body and a



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separate appellate and further mechanisms available with regard to the grievances of any party concerned in the issuance of a Community Certificate. Denuded of such powers, the impugned order is issued beyond the scope and ambit of the Human Rights Commission and it accordingly deserves interference.

7. Accordingly, these writ petitions are allowed and the impugned orders dated 29.01.2019 and 06.05.2019, are hereby set aside. All consequential directions also stand set aside. However, the private respondent/second respondent is at liberty to work out his remedy in the manner known to law regarding his grievance upon the community certificate. No costs. Consequently, the connected miscellaneous petitions are closed.

[M.D.I.,J.] & [N.D.K.,J.]
11.08.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
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Greenways Road, Chennai-28.



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M.DHANDAPANI, J.
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