



**W.P(MD)No.13801 of 2021**

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

**DATED : 20.08.2026**

**CORAM:**

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

**W.P(MD)No.13801 of 2021  
and  
WMP (MD) No.10769 of 2021**

S.Guruchandra Vadivel

... Petitioner

VS.

1. The Principal Secretary  
to The Government,  
Home, Prohibition and  
Excise Department,  
Fort St. George,  
Chennai 600009.

2. The Special Secretary to Government,  
Public (Human Rights) Department,  
Fort. St. George, Chennai 600009.

3. The Assistant Registrar (Law),  
Tamil Nadu State Human Rights  
Commission, 143,  
P.S. Kumarasamy Raja Salai,  
Greensway Road, Chennai 28.

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4. I.Abusalig

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the impugned order issued by the 3rd respondent in SHRC case No.3356 of 2019 dated 20.04.2021 and quash the same as illegal.

|                 |                                         |
|-----------------|-----------------------------------------|
| For Petitioner  | : Mr.G.Thalaimuthurasu                  |
| For Respondents | : Mr.M.Mahaboob Athiff, SGP (R1 and R2) |
|                 | : Mr.V.Muthuvelan (R3)                  |
|                 | : No appearance (R4)                    |

### **ORDER**

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

This writ petition is filed by the then Sub-Inspector of Police attached to Puliangudi Police Station, Kadayanallur Taluk, Tenkasi District, against the order passed by the State Human Rights Commission in SHRC Case No. 3356 of 2019 dated 20<sup>th</sup> April, 2021, holding the petitioner guilty of violation of human rights and directing the Government of Tamil Nadu to pay a compensation of Rs.25,000/- with a further direction to the Government to recover the same from the writ petitioner and as well a direction recommending to initiate disciplinary action against the writ petitioner.

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2. The grievance of the complainant before the State Human Rights Commission is that, on 14<sup>th</sup> March 2019, when he went to the Government Hospital, Puliyangudi, to see his injured elder brother, who had allegedly been assaulted by neighbouring landowners, certain police personnel in plain clothes took him to the police station, where he was allegedly assaulted, including by the writ petitioner, who also threatened and compelled him to admit an offence and not to disclose the assault before the learned Judicial Magistrate, Sivagiri. The complainant further alleges that, even after being remanded to judicial custody, he was taken back towards Puliyangudi and assaulted in an auto by the writ petitioner, resulting in injuries, which he subsequently reported to the jail authorities and for which he received treatment.

3. A perusal of the records indicate that, with regard to the very same occurrence alleging criminal offence against the writ petitioner, the complainant has also filed a Criminal Miscellaneous Petition before the Court of the Additional District Munsif cum Judicial Magistrate, Sivagiri, in CrI.M.P.No.2051 of 2019 and the same is pending consideration.



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4. Thus, it is evident from the records that the matter was sub judice before the Court of the Additional District Munsif cum Judicial Magistrate, Sivagiri, with respect to the same occurrence in in Crl.M.P.No.2051 of 2019.

5. When the matter was sub judice before the Court of the Additional District Munsif cum Judicial Magistrate, Sivagiri, the State Human Rights Commission could not have entertained the complaint in the light of Regulation 9(g) and also Regulation 9(h) of the State Human Rights Commission of Tamil Nadu (Procedure) Regulations, 1997.

6. Therefore, the impugned order is without jurisdiction and is accordingly set aside as lacking in jurisdiction. The writ petition stands allowed. The complainant/fourth respondent is at liberty to pursue his further remedy in the manner known to law. No costs. Consequently, the connected miscellaneous petition is closed.

**[M.D.I.,J.] & [N.D.K.,J.]**  
**20.08.2026**

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

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**and**  
**N.DILIP KUMAR, J.**

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