



W.P(MD)No.18723 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)No.18723 of 2019
and
WMP (MD) No.15083 of 2019**

Jebastin Gracies

... Petitioner(s)

VS.

1. The State of Tamilnadu,
Rep. by the Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-9.

2. The State Human Rights Commission,
Rep. by its Secretary,
No.143, P.S.Kumarasamy Raja Salai,
Greenways Rd,
Chennai-28.

3. P.Anna Roselin
4. P.Robin

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India



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praying for issuance of a Writ of Certiorari, Calling for the records pertaining to the order and recommendations passed in SHRC No. 223 and 224 of 2014 dated 31.12.2018 on the file of State Human Rights Commission and quash the same as arbitrary and unconstitutional.

For Petitioners : Mr.R.Anand
for Mr.R.Pon Karthikeyan

For Respondents : Mr.M.Mahaboob Athiff (R1)
Special Government Pleader

: Mr.Gokul Abimanyu (R2)
for M/s.C.Arul Vadivel @ Sekar Associates
No appearance (R3 & R4)

ORDER

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

This Writ Petition has been filed challenging the order passed by the second respondent/State Human Rights Commission in SHRC Nos. 223 and 224 of 2014 dated 31.12.2018.

2. The learned counsel appearing for the petitioner would submit that the petitioner, while working as Sub-Inspector of Police at Munneerpallam Police



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Station, received a complaint from a lady residing in the neighbourhood of the respondent/complainant, alleging that the respondent/complainant was frequently quarrelling with the neighbours. Based on the complaint given by the neighbour, the petitioner visited the place and warned the respondent/complainant not to indulge in such activities. Thereafter, he left the place in order to avoid any conflict between the respondent/complainant and her neighbours. However, aggrieved by the same, a false complaint was made before the State Human Rights Commission alleging that the petitioner had used filthy and unparliamentary language against the respondent/complainant. It is submitted that two complaints were made by the respondents 3 and 4. Based on the said complaints, without considering the veracity of the complaint and the nature of the allegations made against the petitioner, the State Human Rights Commission came to the conclusion that there was a violation of human rights and awarded compensation. Challenging the same, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner would further submit that, before the Commission, no independent witness was examined to substantiate the allegation made against the petitioner that he had used



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unparliamentary words against the respondent. Without establishing the said allegation, the State Human Rights Commission arrived at a conclusion against the petitioner and imposed compensation, which is not sustainable in law. Accordingly, he would pray for allowing the present Writ Petition.

4. Though the name of the respondents 3 and 4 is printed in the cause list, none appeared for them.

5. We have considered the submissions made by the learned counsel appearing for the petitioner and perused the materials available on record.

6. Considering the facts and circumstances of the case, we are of the view that the impugned order passed by the State Human Rights Commission warrants interference in the exercise of the jurisdiction of this Court. Even assuming that the allegation made against the petitioner is true, the nature of the allegation, by itself, would not constitute a violation of human rights warranting an award of compensation under the Protection of Human Rights Act, 1993.



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7. Accordingly, the impugned order dated 31.12.2018 passed by the State Human Rights Commission is set aside. The Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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

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

To

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