IN T HE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2015

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P. No.24120 of 2015

L.Arul Rajh ... Petitioner

-Vs-

State Human Rights Commissionn,
''Thiruvarangam'', Rep. By the
Registrar, No.143, P.S.Kumarasamy
Raja Salai (Greenways Road), Chennai. ... Respondent

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records relating to the order in Case No.9481 of 2014/CP dated 09.03.2015 passed by the respondent and quash the said proceedings and direct the respondent to rehear the case on merits.

For Petitioner : Mr.Manoj Sreevalsan

For Respondent : M/s.Bhavani Subbarayan

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

M/s.Bhavani Subbarayan, learned counsel, has entered appearance for the respondent-Commission.

2.The complaint filed by the petitioner has been dismissed by the State Human Rights Commission as being barred by time. The incident is stated to be on 28.12.2013 and the complaint was sent on 29.12.2014, after one year and thus, it is stated to be barred by one day.

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3.Learned counsel for the petitioner has explained that 27.12.2014 and 28.12.2014 are Saturday and Sunday, on which days, the office of the Commission is closed. Thus, naturally on the next working day, the time period would elapse and it has been filed on 29.12.2014, which would be the last day.

4.In view of the aforesaid, the impugned order is set aside and the matter is remitted back to the Commission to examine the complaint of the petitioner on merits.

5.We make it clear that this order has no reflection on the merits of the controversy.

6.Writ Petition is allowed, leaving the parties to bear their own costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sra

To

The Registrar,
State Human Rights Commission,
''Thiruvarangam'',
No.143, P.S.Kumarasamy
Raja Salai (Greenways Road),
Chennai.

+1cc to Mr.Manoj Sreevalsan, Advocate, S.R.No.48719
+1cc to M/s.Bhavani Subbarayan, Advocate, S.R.No.48758

W.P.No.24120 of 2015

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