

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13.07.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.18511 of 2009

and

W.P.No.18594 of 2009

J.Duraisamy ... Petitioner in W.P.No.18511 of 2009
M.Ramakrishnan ... Petitioner in W.P.No.18594 of 2009

Versus

1.The Hon'ble Members,
State Human Rights Commission
'Thiruvarangam'
143 - P.S.Kumarasamy Raja Salai,
Greenways Road,
Chennai 600028.

2.B.Sundarrajan ... Respondents in both WPs

Petitions are filed under Article 226 of the Constitution of India praying for the issue of a writ of Certiorari, calling for the order passed by the State Human Rights Commission in S.H.R.C.No.6042/2004 dated 27.07.2009 and quash the same as illegal.

For Petitioners ::: Mr.N.Baskaran in both WPs

For Respondents ::: Mr.R.Srinivas for R.1
No appearance for R.2

O R D E R

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

It cannot be disputed that the present writ petitions would not be maintainable as per the view taken by the Division Bench of this Court in W.P.No.25614 of 2010 on 27.01.2016 at this stage, when the State Government has not taken a view on the recommendations of the State Human Rights Commission.

2. Let the State Government take a view on the matter and if on such view being taken a cause of action arises for the petitioner, liberty is granted for availing appropriate legal remedy.

3. The writ petitions are dismissed with the aforesaid observations, but with a direction to the State Government to take a view within three months of the receipt of this order. Consequently, connected miscellaneous petitions are closed. Parties to bear their own costs.

4. Copy of the order be issued to Mr.R.Srinivas, the learned counsel appearing for the State Human Rights Commission, within three days.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ksr

To

- 1.The Hon'ble Member, State Human Rights Commission,
'Thiruvaramam', 143 - P.S.Kumarasamy Raja Salai,
Greenways Road, Chennai 600 028.
- 2.The Chief Secretary to the Government,
Fort St George, Chennai-9.
- 4.The Secretary to the Government,
Home Department,
Fort St.George, Chennai.

Copy to

Mr.R.Srinivas,
Advocate, High Court Madras (who appearer on behalf of Human Rights commission)

+1cc to The Government Pleader Sr.40869
+2cc to Mr.N.Baskaran, Advocate Sr.39433 & 39434

W.P.Nos.18511 and 18594 of 2009

RJ[co]
srg 22/07/2016