

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2018

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM, J.

W.P. No. 30827 of 2018

Y. Akbar Ahmed ... Petitioner in Person

Vs.

1. The State Human Rights Commission
Thiruvarangam, No.143, P.S.Kumarasamy Raja Salai
(Greenways Road) Chennai - 600 028.
2. Mr.Mohandas (Inspector of Police) (L&O)
D1, Police Station, Chennai - 600 005.
3. Mr.Johny (Sub-Inspector of Police) (L&O)
(L&O) D1, Police Station, Chennai - 600 005.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent herein to consider the petitioner's representation dated 05.09.2018 and to take strict action against the second and third respondents herein, within a stipulated time.

For petitioner : Mr.Akbar Ahmed (Party-in-person)

ORDER

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

The affidavit filed in support of the writ petition would aver among other things that in the year 2015, he lodged a complaint with the second respondent against one Ms.Revathi and others for illegal break open and demolition of the shop in Ellis Road, which was in his possession for the past two years. When he went to D1, Triplicane police station to lodge a complaint, the respondents 2 and 3, had not only abused him but also attempted to harm him physically and left with no other option, he has filed Criminal OP No. 8883 of 2018, praying for appropriate direction directing the first and third respondents to give protection to his life at the hands of the above said police officers and it was disposed of on 22.03.2018, with an observation that "every citizen of this nation is entitled for protection from any infringement of his right. If any incident

of infringement or threat to his life is brought to the notice of the concerned authority, it is the sovereign duty of the authority to act upon it."

2.The petitioner / party-in-person would submit that he has also lodged a complaint on 05.09.2018 and the same has been entertained and taken on file in SHRC Case No. 8651 of 2018. The grievance expressed by the petitioner/ party-in-person is that since no progress is taking place in the case and it is getting adjourned at the garb of investigation and there may be wiping out of the CCTV footage, therefore, prays for appropriate direction and for early hearing of the said case.

3.This court has considered the submissions made by the petitioner /party-in-person. Statutory authority had already seized of the matter in SHRC Case No. 8651 of 2018 and though the petitioner/party-in-person would urge that the first respondent be issued with appropriate direction, this court is not in a position to give any positive direction to dispose of the case within a time limit for the reason that the old cases have to be tried first by the State Human Rights Commission. However, taking into consideration the apprehension expressed by the petitioner as to the wiping out of CCTV recordings, this court directs the SHRC to accord priority and dispose of SHRC No. 8651 of 2018 as expeditiously as possible.

4.Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IV)

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सत्यमेव जयते
Sub Assistant Registrar

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To

1. The State Human Rights Commission
Thiruvaramam, No.143, P.S.Kumarasamy Raja Salai
(Greenways Road) Chennai - 600 028.
2. Inspector of Police (L&O)
D1, Police Station, Chennai - 600 005.

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3. Sub-Inspector of Police (L&O)
(L&O) D1, Police Station, Chennai - 600 005.

+1cc to Mr.Y.Akbar Ahmed, Advocate SR.No.80205

W.P. No. 30827 of 2018

CNR(CO)

GMV (24/12/2018)



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