

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 01.07.2019

CORUM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition No.17658 of 2019
and
WMP No.17104 of 2019

1 V.Kannan, Former Revenue Divisonal Officer
Uthamapalayam, Theni District.
Presently Working As General Manager
(Personnel) DRQ Tamil Nadu Milk Producers Co
operative Federation Ltd., Aavin Illam,
Pasumpon Muthuramalinga Thevar St,
Nandanam, Chennai-35. Petitioner

Vs

1 The Presiding Officer,
State Human Rights Commission,
Tamil Nadu,
143, P.S.Kumarasamy Salai Greenways Road,
Chennai-28.

2 S. Kannan,
Village Adminstrative officer(Retd),
S/O. S.P. Swamikannu,
W-2/22, North Colony Street,
Building Society, Chinnamanur,
Uthamapalayam Taluk Theni Dist. Respondents

PETITION filed under Article 226 of the constitution of India praying for issuance of Writ of Certiorari to call for the records relating to Case No 15/2016 dated 4.1.2016 pending on the file of the First Respondent and to quash the same.

For Petitioner : Mr.V.Perumal

O R D E R

(Order of the Court was made by K.K.SASIDHARAN, J.,)

The first respondent initiated proceedings against the petitioner on the basis of a complaint preferred by the second respondent. The petitioner has filed a counter affidavit before the State Human Rights Commission challenging the jurisdiction. According to the petitioner, the State Human Rights Commission

has no authority to take up the issue raised by the second respondent.

2. Since there was no order passed by the first respondent relating to jurisdiction, the petitioner has come up with this Writ Petition to quash the entire proceedings now pending before the State Human Rights Commission.

3. We have heard the learned counsel for the petitioner.

4. We have perused the materials available on record. We are of the view that the issue relating to jurisdiction should be taken up as a preliminary issue by the State Human Rights Commission.

5. We direct the State Human Rights Commission to take up the issue relating to the jurisdiction at the first instance. The State Human Rights Commission shall pass a speaking order relating to jurisdiction. Such exercise shall be completed within a period of two (2) months from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

The Presiding Officer,
State Human Rights Commission,
Tamil Nadu,
143,P.S.Kumarasamy Salai Greenways Road,
Chennai-28.

+1cc to Mr.V.Perumal, Advocate, S.R.No.54229

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BS (CO)

RRS (08/07/2019)