



W.P.No.20532 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.20532 of 2018

and

W.M.P.Nos.24926, 24927, 27647 and 28275

P.Rathinam

.. Petitioner

-VS-

- 1.The State of Tamil Nadu
Represented by its Secretary
Home Department
Chennai-600009.
- 2.The Secretary
Revenue Department
Government of Tamil Nadu
Secretariat, Chennai-600009.
- 3.The Director General of Police
Government of Tamil Nadu
Police Head Quarters
Chennai-600004.
- 4.The Commissioner of Police
Salem City, Salem.
- 5.The Superintendent of Police
Salem District, Salem.



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6.The District Collector
Salem District
Salem.

7.The District Collector
Dharmapuri District
Dharmapuri.

8.The Superintendent of Police
Dharmapuri District
Dharmapuri.

9.The Deputy Superintendent of Police
Harur Taluk, Harur
Dharmapuri District.

10.The District Collector
Thiruvannamalai District
Thiruvannamalai.

11.The Superintendent of Police
Thiruvannamalai District
Thiruvannamalai.

12.The Deputy Superintendent of Police
Chengam, Thiruvannamalai.

13.The Inspector of Police
Peranamallur Police Station
Thiruvannamalai District.

14.The Sub-Inspector of Police
Vanthavasi Police Station
Thiruvannamalai District.

15.The Inspector of Police
Ammappettai Police Station
Salem District.



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16.The Inspector of Police
Annathanapatty Police Station
Salem City, Salem.

17.Union of India
Rep. By the Secretary
Ministry of Rural Development
Government of India
Krishi Bhavan
Dr.Rajendra Prasad Road
New Delhi-110 001.

18.Union of India
Rep. by the Secretary
Ministry of Road Transport and Highways
Government of India
Transport Bhavan
1, Parliament Street
New Delhi-110001.

19.The Superintendent of Police
Krishnagiri District
Krishnagiri.

20.The Inspector of Police
Singarapettai Police Station
Uthangarai Taluk
Krishnagiri District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents as:-

I. directing the first respondent to pay a fair and just amount of compensation to the victims of the violations committed by the police personnel such as:-

1. Mr.T.Muthukumar, Son of Thangavel, Kottayur Village, Salem District.
2. Mr.A.Marimuthu, Son of Ananthan, residing at No.331, Suriya Gounder Kadu, Seelanayakkanpatty, Salem.
3. Mrs.Malliga, Wife of Late C.N.Arumugam, aged 65 years, residing at Athipadi Village, Uthangarai Taluk,



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Krishnagiri District and

4. Mr.R.Sounder, Son of C.N.Ramalingam, Athipadi Village, Uthangarai Taluk, Krishnagiri District.

II. Constituting an enquiry committee headed by a retired Judge of this Court to enquire into the violation of the rights of the farmers and their well wishers who were illtreated and harassed by the police as the agitation of the farmers against the proposed Chennai-Salem Express Green Corridor project had been conducted in Thiruvannamalai District, Salem District, Kancheepuram District and Dharmapuri District.

III. Constituting an expert body consisting of Environmental Scientist, Retired Senior Engineer from the public works department and such other expression the field of forest maintenance to study the positive and negative impact of the Chennai-Salem Express Green Corridor Project and to suggest the alternative options which can minimize the negative impact of the project.

IV. Ordering any other directions as this Court may consider fit and proper in the circumstances of this matter.

For the Petitioner : Mr.Thilageswaran

For the Respondents : Mrs.R.Anitha, SGP
(RR1 to 16, 19 & 20)

Mr.G.Karthikeyan (RR17 & 18)

ORDER

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

We have heard Mr.Thilageswaran, learned counsel for the petitioner; Mrs.R.Anitha, learned Special Government Pleader for respondents 1 to 16, 19 and 20; and Mr.G.Karthikeyan, learned counsel for respondents 17 and 18.



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2. The petitioner seeks compensation on the ground that the police arrested the members of the family of Silambarasan and his cousin Sunder was severely slapped by the Inspector at the police station. His left ear is affected due to the slapping. The petitioner is seeking relief to the victims of the unruly behavior of the police. The victims are not parties here. It is for the victims to claim relief. Moreover, the aggrieved person or any interested person may raise the issue before the Human Rights Commission as may be permissible under law.

3.The writ petition is disposed of, accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.V.G., CJ.)

(P.D.A., J.)

18.08.2023

Index : yes/no

Neutral Citation : Yes/No

Maya

To:

1.The Secretary
Home Department
Chennai-600009.

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- 2.The Secretary
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THE HON'BLE CHIEF JUSTICE
AND
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(Maya)

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