



W.P.No.14549 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2023

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs.JUSTICE N.MALA

W.P.No.14549 of 2018

R.Shanthi
W/o Rajendren

.... Petitioner

vs

1. S.Raja,
Vigilance Inspector,
Vigilance and Anti Corruption Department,
Salem District.

2. The State Human Rights Commission,
Tamil Nadu,
Thiruvaramangam
No.143, P.S.Kumarasamy Raja Salai,
(Greenways Road)
Chennai - 600 028.

(R1- amended as per court order
dt.20.09.2018 by RPSJ & RPAJ
in W.M.P.No.28852/2018 in
W.P.No.14549/2018)

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
to issue a Writ of Certiorarified Mandamus to call for the records on the file



W.P.No.14549 of 2018

of the State Human Rights Commission, the 2nd respondent herein in SHRC Case No.2477/2012 dated 30.06.2016 and to quash the same and to punish the 1st respondent for having violated the Human Rights.

For Petitioner : Mrs.S.S.Jhothivani

For Respondents : Mr.R.Thamaraiselvan for R1
Mr.Stalin Abimanyu,
Additional Government Pleader for R2

ORDER

(Order of the Court was made by J.NISHA BANU, J.,)

The above writ petition has been filed challenging the order passed by the State Human Rights Commission, the 2nd respondent herein, dismissing the complainant's petition.

2. The case of the petitioner is that the petitioner is residing at No.86/32, Kamarajar Street, Shenbakkam Village, Vellore, in the Government natham Poromboke land to an extent of 2 cents in Village Survey No.469/68. She is residing in the said land for about 40 years and patta was not issued to the said land. One Mohan, an Advocate at Vellore and his father Loganathan along with rowdy elements entered into her property, with an intention to grab the land from her, ransacked the plantations in the land and caused injuries to the petitioner and her daughter Mahalakshmi. Immediately, the



W.P.No.14549 of 2018

petitioner preferred a complaint before Superintendent of Police, Vellore District, who forwarded the complaint to the 1st respondent, Vellore Rural Police Station, for investigation. The petitioner and her daughter were called for inquiry by the 1st respondent on 01.03.2012 and they were made to wait till 7.00 p.m. and they were asked to come on the next day. On 02.03.2012 also they were made to wait till 7.00 p.m. and they were treated disrespectfully in front of the opposite parties and were called to come on the next day. On 03.03.2012, 1st respondent treated them disrespectfully and without informing anything to them, remanded them to custody and sent them to jail. Later on, the petitioner came to know that instead of conducting investigation on the complaint preferred by her, the 1st respondent remanded them to custody by receiving a predated complaint from the opposite party. Aggrieved over the same, the petitioner preferred a complaint before the 2nd respondent in SHRC.Case No.2477 of 2012 to initiate action against the 1st respondent, but the same was dismissed by order dated 30.06.2016. Hence, the present writ petition.

3. Today, when the matter is taken up for hearing, it is brought to the notice of this Court that in respect of the case registered in Cr.No.118/2012 as



W.P.No.14549 of 2018

against the petitioner, charge sheet has been laid before the Judicial Magistrate I , Vellore. A counter affidavit has been filed in SHRC.No.2477 of 2012, in which, it has been stated that on the complaint given by one Logu, a case has been registered in Cr.No.118/2012 under sections 447, 448, 294(b) and 506(ii) IPC and charge sheet has been filed in C.C.No.100/12 before the Judicial Magistrate-I, Vellore.

4. Since the charge sheet has been filed on the complaint registered against the petitioner, if the petitioner is aggrieved by the charge sheet as found to be false, she can always agitate the matter in manner known to law. Therefore, we are not inclined to entertain the writ petition. Accordingly, the Writ Petition stands dismissed. No costs.

(J.N.B., J.) (N.M., J.)
16.11.2023

vsi

Index : Yes / No

Internet : Yes / No

To

1. S.Raja,
Vigilance Inspector,
Vigilance and Anti Corruption Department,
Salem District.



W.P.No.14549 of 2018

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2. The State Human Rights Commission,
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W.P.No.14549 of 2018

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W.P.No.14549 of 2018

16.11.2023