



W.P.(MD).No.12841 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2023

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.12841 of 2014

J.Santhanakumari

... Petitioner

Vs.

1.State Represented by its
Secretary,
Secretariat,
Fort St.George,
Chennai.

2.The Director General of Police,
Beach Road,
Chennai.

3.The Commissioner of Police,
O/o.the Commissioner of Police,
Madurai.

4.The Inspector of Police,
Annanagar Police Station,
Madurai-20.

5.Rajapandi ,
Then the Inspector of Police,
Annanagar Police Station,
Madurai-20.

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay the adequate compensation to the petitioner and consequently direct the respondents no.1 to 3 to take appropriate actions against the respondent no.5.

For Petitioner	: Mr.S.M.A.Jinnah
For R-1	: Mrs.D.Farjana Ghoushia, Special Government Pleader.
For R-2 to R-4	: Mr.R.M.S.Sethuraman, Additional Public Prosecutor
For R-5	: Mr.M.Saravanakumar

ORDER

The Writ Petition has been filed seeking for a Mandamus to direct the respondents to pay adequate compensation to the petitioner and consequently to direct the respondents 1 to 3 to take appropriate action against the fifth respondent.

2. From a reading of the averments made in the affidavit, there seems to be allegations against the fifth respondent in not performing his duty and also abuse of his position as the Inspector of Police, Annanagar Police Station, Madurai. With these allegations, the petitioner ought to have approached the



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State Human Rights Commission for appropriate relief as the said Commission has been vested with powers of enquiry by way of also examining witnesses, which could not be done by this Court exercising powers under Article 226 of the Constitution of India.

3. In view of the above, the petitioner is directed to approach the State Human Rights Commission by filing appropriate application. When the petitioner approaches the State Human Rights Commission, the State Human Rights Commission is directed to exclude the period, namely, the date of filing of this Writ Petition till the date of this order while calculating the period of limitation.

4. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

09.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm



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- To
- 1.The Secretary,
State,
Secretariat,
Fort St.George,
Chennai.
 - 2.The Director General of Police,
Beach Road,
Chennai.
 - 3.The Commissioner of Police,
O/o.the Commissioner of Police,
Madurai.
 - 4.The Inspector of Police,
Annanagar Police Station,
Madurai-20.
 - 5.The Registrar,
Tamil Nadu State Human Rights Commission,
Chennai.
 - 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.



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K.KUMARESH BABU, J.

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