



WP.No.2638 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

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S.Lakshmi

Petitioner

Vs

1. Nirmala, the then Sub Inspector of Police
Thirupathur Town Police Station, Vellore

2. The Member, State Human Rights Commission, Tamil Nadu
Chennai-28 Respondents

Prayer:- This Writ Petition has been filed, under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the dismissal order in SHRC.No.6559 of 2012, dated 13.07.216, passed by the 2nd Respondent and set aside the same as illegal, improper, unreasonable and arbitrary and thereby allow the SHRC.No.6559 of 2012.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.R.Vigneshwaran, GA-R2

ORDER

(Order of the Court was made by S.S.SUNDAR, J.)

1. This Writ Petition is filed to issue a Writ of Certiorarified Mandamus to call for the records relating to the dismissal order in SHRC.No.6559 of 2012, dated 13.07.216, passed by the 2nd Respondent and set aside the same as illegal, improper, unreasonable and arbitrary and thereby allow the SHRC.No.6559



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of 2012.

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2. The Petitioner has preferred a complaint before the State Human Right Commission-Tamil Nadu (herein after referred to as the Commission), alleging violation of human rights as against the 1st Respondent herein. In the complaint, it is stated that on 30.07.2012 at about 6.00 p.m. the Petitioner was called by the 1st Respondent to the Thirupathur Town Police Station for an enquiry and that the 1st Respondent caught hold of her hair and hit on her head and back with her hands. It is further stated that the 1st Respondent abused her by calling her as a prostitute and hit her with lathi in many places of her body. The Petitioner, who was examined as PW.1 before the Commission did not corroborate her own statement in the complaint. Referring to the material contradictions between the complaint and the deposition of PW.1, the Commission came to the conclusion that the Petitioner's complaint is not reliable and accordingly, dismissed the complaint by the impugned order. As against the same, this Writ Petition has been filed by the complainant.
3. This Court heard learned counsel for the Petitioner and the learned Government Advocate for the 2nd Respondent and also perused the materials placed on record.
4. This Court, having regard to the specific findings of the Commission on the material allegations made in the impugned order, is unable to find any reason to interfere with such findings on facts. The Commission, after elaborate discussion on facts, came to the conclusion that the 1st Respondent had not



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committed any violation of human rights as against the complainant. This Court, sitting in Article 226 of the Constitution of India, cannot interfere with the factual findings based on records giving reasons. Except the complaint, no other material is produced before this Court to establish the alleged violation of human rights. The oral version of the Petitioner before the Commission is totally contrary to the complaint. This Court finds no merit in this Writ Petition and accordingly, this Writ Petition is dismissed. No costs.

(S.S.S.R.J.) & (N.S.J.)
05.06.2024

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
Neutral Citation
Srcm

To

1. The Member, State Human Rights Commission, Tamil Nadu
Chennai-28



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S.S.SUNDAR, J.
and
N.SENTHILKUMAR, J.

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