



W.P.No.9783 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.9783 of 2024

R.JanciRani

... Petitioner

Vs.

1. Director General of Police,
Mylapore, Chennai – 600 004.

2. The Registrar,
The State Human Rights Commission,
Thiruvarangam, 143,
P.S.Kumarasamy Raja Salai, (Greenways Road)
Chennai – 600 028,
Tamil Nadu.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records in Case No.4137 of 2013 on the file of the 2nd respondent and to quash the same and to direct the 1st respondent to comply with the order passed by the State Human Rights Commission, Tamil Nadu, the 2nd respondent, dated 10.06.2013.



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For Petitioner : M/s.R.Mahalakshmi
For R1 : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John
For R2 : Mr.M.R.Gokul Krishnan
Additional Government Pleader

ORDER

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

This writ petition is filed challenging the order of the 2nd respondent/State Human Rights Commission, dated 10.06.2013, made in Case No.4137 of 2023.

2.The petitioner had earlier given a complaint before the State Human Rights Commission with serious allegations against some of the Police officials for human rights violations. It is admitted that the said complaint was closed by order dated 10.06.2013 and the nature of order passed by the State Human Rights Commission reads as follows :



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“The Director General of Police, Chennai to enquire into the matter and take necessary action. The complaint is closed.”

3.The order indicating that the Director General of Police should enquire into the matter and take necessary action, cannot be understood as a recommendation of the Commission on merits. Admittedly, none of the respondents were called. The present writ petition is filed not only to quash the proceedings dated 10.06.2013, but also to give further direction to the Director General of Police to enquire into the matter as observed by the State Human Rights Commission. Since the order is not a recommendation which should follow after a consideration of the complaint on merits, the observation only indicates that the complaint ought to have been enquired by the Director General of Police and not by the Commission. It is also to be noted that the petitioner has approached this Court nearly 11 years after the order of the State Human Rights Commission. In the said circumstances, this Court is unable to entertain this writ petition.



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4. Accordingly, this writ petition is dismissed not only on merits, but also on the ground of laches. No costs.

(S.S.S.R., J.) (N.S., J.)
10.04.2024

mkn

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

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