



W.P.No.8828 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.8828 of 2024

V.Sathees Kumar

... Petitioner

Vs.

1.The State Human Rights Commission,
Represented by its Chairperson,
Thiruvarangam,
No.143, P.S.Kumarasamy Raja Salai,
Greenways Road,
Chennai – 600 028.

2.The State represented by
The Superintendent of Police,
Salem District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing them to give the petitioner an opportunity of being heard in person while examining Mr.Selvaraj, Inspector of Police, attached to Thaliavasal Police Station and to pass appropriate order u/s. 18(a)(ii) of the Protection of Human Rights Act, 1993.



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For Petitioner : Mr.A.Thiyagarajan
For R1 : Mr.C.Jayaprakash
Additional Government Pleader
For R2 : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

This writ petition is filed for issuance of a Writ of Mandamus directing the respondents to give the petitioner an opportunity of being heard in person while examining Mr.Selvaraj, Inspector of Police, attached to Thaliavasal Police Station, and to pass appropriate order u/s.18(a)(ii) of the Protection of Human Rights Act, 1993.

2.It is the case of the petitioner that he filed a complaint before the State Human Rights Commission on 13.12.2017 against one Selvaraj, Inspector of Police, attached to Thalavasal Police Station, Attur, Salem District, making serious allegations. However, the petitioner appears to



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have requested the 1st respondent/Human Rights Commission to give opportunity of personal hearing. It is not in dispute that the petitioner's complaint was numbered as S.H.R.C.No.9977 of 2017/C3. However, based on the preliminary enquiry conducted by the Superintendent of Police and the report received from the Superintendent of Police, the complaint itself was closed by proceedings dated 14.10.2022. The petitioner, thereafter, submitted a few representations without even taking note of closure of his complaint even in 2022. Now, the present writ petition is filed only for issuance of a Writ of Mandamus to direct the respondents to give him opportunity before concluding the case. When the complaint itself is closed, the petitioner has to challenge the order closing the complaint. Therefore, this Court cannot entertain this writ petition.

3. Accordingly, this writ petition is dismissed. No costs.

(S.S.S.R., J.) (N.S., J.)
03.04.2024

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Internet : Yes
Index : Yes / No
Neutral Citation : Yes / No



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To
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- 1.The Chairperson,
State Human Rights Commission,
Thiruvarangam,
No.143, P.S.Kumarasamy Raja Salai,
Greenways Road,
Chennai – 600 028.
- 2.The Superintendent of Police,
Salem District.



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and
N. SENTHILKUMAR, J.

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