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WP.Nos.19205/2019 & 35057/2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

WP.Nos.19205/2019 & 35057/2016 & WMP.No.30218/2016

**WP.No.19205/2019:-**

S.Varun Ganesh Samiappa

... Petitioner

Vs.

1.B.Selvaraj

Sub-Inspector (Crime Branch) J5 Shastri  
Nagar Police Station 1st Avenue Service  
Road Custom Colony Besant Nagar Chennai

2.The Registrar

State Human Rights Commission Tamil Nadu  
Thiruvarangam No. 143 P.S.Kumarasamy Raja  
Salai Greenways Road Chennai – 600028.

... Respondents

**Prayer in WP.No.19205/2019** : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of certiorari to call for the records relating to the 2nd respondent in SHRC No. 2953 of 2016 by order dated 08.02.2019 and to quash the same.



WP.Nos.19205/2019 & 35057/2016

**WP.No.35057/2016**

S.Sundaresan

... Petitioner

Vs.

- 1.The State of Tamil Nadu rep.  
by its Chief Secretary Fort St. George  
Chennai 600 009.
- 2.The State of Tamil Nadu rep.  
by its Home Secretary Fort St. George  
Chennai 600 009.
- 3.The Commissioner of Police  
Office of the Commissioner of Police No.132  
E.V.K. Sampath Salai Veperty Chennai 600 008.
4. The Joint Commissioner of  
Police (IS) Office of the Commissioner of  
Police No.132 E.V.K. Sampath Salai  
Veperty Chennai 600 008
- 5.Mr.Selvaraj  
Sub-Inspector (Crime Branch) J5 Shastri  
Nagar Police Station 1st Avenue Service  
road Custom Colony Besant Nagar Chennai  
600 090.

... Respondents

Prayer in WP.No.19205/2019 : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus Directing the respondents to pay a sum of Rs.25,00,000/- as compensation towards the Human Right Violation caused by the 5th Respondent against the petitioners son intentionally and thereby disturbing his normal and peaceful life.



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WP.Nos.19205/2019 & 35057/2016

For Petitioners in both  
Petitions : No appearance

For R1 in WP.No.19205/2019  
& R5 in WP.No.35051/2016 : Mr.D.Alexis Sudhagar  
For R2 in WP.No.19205/2019 : Mr.A.Edwin Prabakar  
For RR1 to 4 in WP.35051/16 : Mr.M.Muthusamy, GA

### COMMON ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

(1) This Court, earlier by order dated 06.10.2023, referred the matter to Mediation and Conciliation Centre, attached to this Court. A further direction was also issued to the Mediation and Conciliation Centre to conduct mediation and to file a report before this Court before 30.10.2023. It appears that the parties have now amicably settled their dispute by entering into a Mediation Agreement dated 01.12.2023. As per the Mediation Agreement, the disputes and differences that had arisen between the parties in WP.No.19205/2019 and 35057/2016, have been settled in terms of Clause [6] of the Mediation Agreement.



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(2) Clause [6] of the Mediation Agreement reads thus:-

*"6. The following settlement has been arrived at between the parties hereto:*

- (a) Mr.B.Selvaraj, the 1<sup>st</sup> respondent in WP.No.19205 of 2019 and the 5<sup>th</sup> respondent in WP.No.35051/206, the contesting respondent in both the writ petitions, has hereby tendered an unconditional apology for his actions, to settle the matter amicably.*
- (b) An apology letter has been given on 01.12.2023 before the Mediator.*
- (c) The petitioners, Mr.Varun Ganesh Samiappa, in W.P.No.19205 of 2019 & Mr.S.Sundaresan, in W.P.No.35057 of 2016, have hereby agreed to withdraw the respective Writ Petitions, accepting their apology letter."*

(3) It is seen that while signing the Agreement, the parties have also stated that they have no further claims or demands against each other with reference to the two writ petitions namely, WP.Nos.19205/2019 and 35057/2016.



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(4)The Settlement Agreement dated 01.12.2023 is signed by both parties as well as the learned counsels appearing for the petitioner as well as the private respondents.

(5)Though the learned counsel for the petitioner is not present, the learned counsel for the contesting respondent states that the writ petitions may be disposed of in terms of the Mediation Agreement.

(6)While directing the Mediation Agreement be made as form part of record, these two writ petitions are **disposed of in terms of the Mediation Agreement.** No costs. Consequently, connected miscellaneous petition is closed.

[S.S.S.R., J.] [N.S., J.]  
10.01.2024

AP

Internet : Yes



WP.Nos.19205/2019 & 35057/2016

To

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1. The Chief Secretary  
State of Tamil Nadu  
Fort St. George  
Chennai 600 009.
2. The Home Secretary  
State of Tamil Nadu  
Fort St. George  
Chennai 600 009.
3. The Commissioner of Police  
Office of the Commissioner of Police No.132  
E.V.K. Sampath Salai Veperty Chennai 600 008.
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5. Mr. Selvaraj  
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S.S. SUNDAR, J.,  
and  
N.SENTHILKUMAR, J.,

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