



Rev.Appl.No.243 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2024

CORAM :

THE HON'BLE MR.JUSTICE S.S.SUNDAR

and

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Review Application No.243 of 2024
in W.P.No.6229 of 2022

Seetharaman

.. Petitioner

Vs

1.State Human Rights Commission,
Tamil Nadu,
143-P.S.Kumarasamy Raja Salai,
Greenways Road,
Chennai-600 028.

2.S.Suthakar
3.Ravichakravarthy
4.Muruganantham

.. Respondents

Prayer : Review Application under Order 47, Rule 1 read with Section 114 of CPC to review the order dated 21.3.2022 passed in W.P.No.6229 of 2022.



WEB COPY



Rev.Appl.No.243 of 2022

For the Petitioner : Mr.B.Ramkumar

For the Respondents : Mr.C.Jayaprakash
Standing Counsel
for respondent No.1

: Mr.M.Muthappan
for respondent No.2

: Mr.V.Senthilvadivelan
for Mr.Aravind. S
for respondent No.4

ORDER

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

This review application is directed against the order dated 21.3.2022 passed by this Court in W.P.No.6229 of 2022.

2. The review applicant is the first petitioner in the writ petition and the first respondent in the complaint preferred by the second respondent before the State Human Rights Commission.

3. The issue involved in this review application is similar to the issue considered by this Court in Review Application No.244 of 2022, which also arose from the same order dated 21.3.2022 passed in W.P.No.6229 of 2022. This Court, by order dated 28.8.2024, partly



Rev.Appl.No.243 of 2022

allowed Review Application No.244 of 2022. The issue involved in this review application is also identical.

4. This Court, upon perusal of the records filed in the writ petition, found that there was specific allegation against the review applicant for human right violations and the findings of the State Human Rights Commission are supported by evidence. After holding that the findings and the recommendation of the State Human Rights Commission are based on pleadings and evidence, the Division Bench dismissed the writ petition. Alleging error apparent in the order dated 21.3.2022 passed in the writ petition, the review applicant has filed the present review application.

5. Heard learned counsel for the parties and perused the materials available on record.

6. The scope and ambit of the jurisdiction conferred on this court under Order 47 Rule 1 of the Civil Procedure Code, 1908, as laid down by the Supreme Court and this Court in a catena of decisions, has been reiterated by this Court in the connected Review Application



Rev.Appl.No.243 of 2022

No.244 of 2022.

WEB COPY

7. In Review Application No.244 of 2022, we had set aside the third recommendation of the State Human Rights Commission to initiate criminal prosecution against the said review applicant. As the complaint lodged was similar against the present review applicant also, we are of the view that the same order can be passed in the instant review application.

8. In view of the above, while confirming the order of the State Human Rights Commission and the order passed in the writ petition, the review application is partly allowed and the third recommendation of the State Human Rights Commission as regards initiation of the criminal prosecution against the review applicant is set aside. There shall be no order as to costs. Consequently, W.M.P.No.28137 of 2022 is closed.

(S.S.S.R., J.)

(S.S.K., J.)

28.08.2024

Index : Yes/No
NC : Yes/No
bbr



Rev.Appl.No.243 of 2022

To:

WEB COPY

The State Human Rights Commission, Tamil Nadu,
143-P.S.Kumarasamy Raja Salai,
Greenways Road,
Chennai-600 028.



WEB COPY



Rev.Appl.No.243 of 2022

S.S.SUNDAR, J.
AND
SATHI KUMAR SUKUMARA KURUP, J.

bbr

Review Application No.243 of 2022

28.08.2024