



WEB COPY

W.P.No.11248 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

<i>Reserved on</i>	27.10.2025
<i>Pronounced on</i>	21.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

W.P.No.11248 of 2021
and
W.M.P.No.11904 of 2021

1.Venkatesan

2.Elangovan

...Petitioners

Vs.

1.The Tamil Nadu State
Human Rights Commission,
Rep. By its Registrar,
143, P.S.Kumarasamy Salai,
Greenways Road, Chennai – 600 028.

2.The Additional Chief Secretary
to Government,
Home Department, Secretariat,
Fort St.George, Chennai.

3.The Special Secretary to Government,
Public (HR) Department,
Secretariat, Chennai – 600 009.

4.J.S.Mani

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records relating to the impugned order dated 05.02.2021 passed in SHRC No.6005/2013 by the 1st respondent and quash the same.

For Petitioners : Mr.M.Deivanandam

For Respondents : Mr.Arun Anbumani
Standing Counsel for R1

Mr.K.Suresh,
Government Advocate for R2 & R3

No Appearance for R4

ORDER

M.S.RAMESH,J.

The complaint of the fourth respondent herein before the State Human Rights Commission (hereinafter referred to as “the Commission”) is that, on 26.07.2013, at about 11:00 A.M., when he was standing in front of his house, the first petitioner herein took him in his van to Kanagam Police Booth and after stripping him, he was tortured and assaulted by the petitioners with lathi and booted feet. He was thereafter taken to Chemmanchery Police Station at about 03:30 P.M. and again assaulted, followed by registration of a criminal case against him for the offence under Section 75 of CP Act read with Section 7(1)(a) of CLA Act



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and thereby remanded him to judicial custody. The fourth respondent was subsequently taken to Government Hospital, Chrompet. However, treatment was not given to him at the instance of the petitioners herein. In this background, he had complained that his constitutional rights have been violated and thus sought for action against the petitioners.

2.No oral evidences were adduced on either side. However, the Commission had conducted an investigation under Section 14 of the Protection of Human Rights Act, 1993. As per the investigation report, the complainant was arrested on 27.07.2013 and not on 26.07.2013. The Prisoner Search Register had also recorded that there were swollen injuries on the hands of the complainant, apart from contusions in both hands, buttocks and heels, at the time of remand. The Medical Officer of Central Jail, Puzhal, Chennai, had also confirmed the injuries.

3.The investigation report records that the petitioners herein were responsible for the injuries found in the body of the complainant and that there was a violation of human rights in this case. When the Commission had summoned the petitioners for their response, they denied of the illegal arrest or torture. According to them, the complainant had been



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causing disturbance to the public at public road, using obscene words on the street vendors and forcing the shopkeepers to close down their shops and therefore, he was apprehended and remanded, after registration of a complaint.

4.The Commission, however, did not accept the explanation of the petitioners herein, but had placed reliance on the investigation report, as well as Ex.P.1, which is an Outpatient chit for the treatment of the complainant at Government Royapettah Hospital, Chennai. As per Ex.P.1, the complainant was allegedly assaulted by six unknown persons with wooden logs between 03:00 P.M. and 06:50 P.M., on 26.07.2013, by which he had sustained injuries.

5.The report of the Investigation Division of the Commission also records the statement of the Casualty Medical Officer attached to the Government Royapettah Hospital, Chennai, confirming five injuries sustained by the complainant. The General Diary maintained at Chemmanchery Police Station even records the contusions on the body of the complainant. So also, the Accident Register issued by the Government Royapettah Hospital confirms such injuries. On the strength



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of these evidences, the Commission had found that the petitioners herein were responsible of having inhumanly assaulted the complainant and thereby violated his fundamental human rights.

6. When the Commission had come to the conclusion on the strength of the evidences, as well as the investigation report under Section 14 and also since the petitioners had not let in any evidence to disprove the same, we find no reasons to interfere with the recommendation made in the impugned order.

7. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[M.S.R.,J] [R.S.V.,J]
21.11.2025

Index: Yes
Neutral Citation: Yes
Speaking order
hvk



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M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

hvk

To

1.The Registrar,
Tamil Nadu State
Human Rights Commission,
143, P.S.Kumarasamy Salai,
Greenways Road, Chennai – 600 028.

2.The Additional Chief Secretary
to Government,
Home Department, Secretariat,
Fort St.George, Chennai.

3.The Special Secretary to Government,
Public (HR) Department,
Secretariat, Chennai – 600 009.

Pre-delivery order made in
W.P.No.11248 of 2021

21.11.2025