

W.P No. 12111 of 2021

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : **14-07-2025**

Delivered on : **11-08-2025**

CORAM

THE HONOURABLE MR JUSTICE M. SUNDAR

AND

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 12111 of 2021

and

WMP.No. 12882 of 2021

1. S. Perumal

S/o.Subramanian

2.S.Thangam

S/o.Sundaram

..Petitioners

Vs

1.The State Human Rights Commission-Tamil Nadu,

Rep. by its Registrar

No. 143, P.S.Kumarasamy Raja Salai,

Greenways Road, Chennai-600028.

2. M.Ramkumar



W.P No. 12111 of 2021

3. The Principal Secretary to Government,
Home, Prohibition & Excise Department,
Fort ST. George, Chennai – 600 009.

4. The Director General of Police,
Dr. Radhakrishnan Salai,
Chennai-600004.

..Respondents

Writ petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records of the 1st respondent in connection with the impugned orders passed by SHRC Nos. 248 of 2019 and 4405 of 2019 dated 01.04.2021 and quash the same.

For Petitioners : Mr.K.Venkataramani, Senior Counsel

For Mr. M.Muthappan

For Respondents : Mr.T.Balaji – R1

For Mr.A.Thiyagarajan

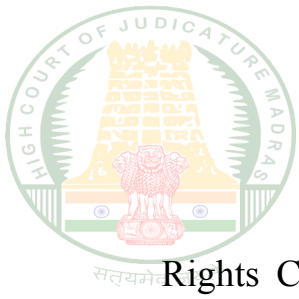
Mr. B.Mahendra Naidu – R2

Mr.K.Suresh, GA – R3 & R4

ORDER

HEMANT CHANDANGOUDAR, J.

The captioned writ petition has been filed seeking issuance of a writ of certiorari to set aside the order dated 01.04.2021 issued by the State Human



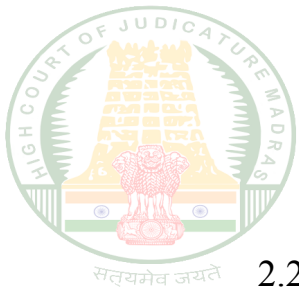
W.P No. 12111 of 2021

WEB COPY

Rights Commission, Tamil Nadu (hereinafter referred to as “SHRC” for the sake of clarity and convenience) in SHRC Case Nos. 248 and 4405 of 2019. In the said order, the Government of Tamil Nadu was directed to pay compensation of Rs. 3,00,000/- to the second respondent and to initiate disciplinary action against the petitioners herein.

2. Factual Background:

2.1 A suo motu case was registered by the first respondent/SHRC based on a news article published on Vikatan.com dated 31.01.2019, which reported a confession video recorded by a taxi driver named Rajesh before he committed suicide. In the said video, the deceased alleged that two traffic policemen had harassed him, abused him with filthy language in the presence of a woman passenger, and hit the vehicle with a lathi, asking him to move it from a location in Anna Nagar. The deceased also referred to a previously ignored incident involving another driver who had committed suicide in the Taramani area. Rajesh claimed that he was driven to suicide due to continuous harassment by the traffic police and urged that action be taken to prevent such conduct.



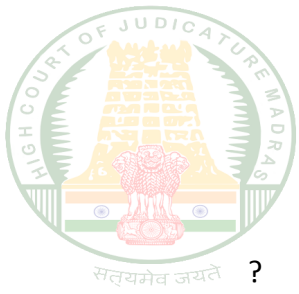
W.P No. 12111 of 2021

WEB COPY

2.2 The police recovered Rajesh's body on 25.01.2019, and after postmortem, it was handed over to his family. Upon inspecting Rajesh's mobile phone, his brother discovered the confession video. The SHRC called for a report from the Commissioner of Police, Greater Chennai. The Joint Commissioner of Police, West Zone, conducted an investigation and submitted a report on 24.06.2019, examining 25 police personnel. The report identified the petitioners as being present at the time of the incident; however, both denied having used abusive language.

2.3 The petitioners appeared before the SHRC and filed a counter affidavit denying all allegations. Based solely on the materials available on record, the SHRC concluded that the petitioners were the primary cause of Rajesh's suicide and had violated his human rights, and accordingly passed the impugned order.

3. Mr. K. Venkatramani, learned senior counsel representing Mr. M. Muthappan, learned counsel on record for the writ petitioners, made the following submissions:



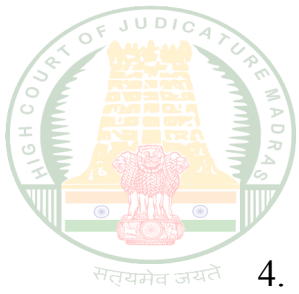
W.P No. 12111 of 2021

WEB COPY

? The SHRC failed to examine Selvi Keerthana, the woman passenger who accompanied the deceased, to determine whether the petitioners, then serving as Sub-Inspector of Police and Head Constable respectively, had abused the deceased with filthy language on the date of the incident.

? The SHRC did not properly consider the report dated 24.06.2019 submitted by the Joint Commissioner, West Zone, which would otherwise establish that the petitioners had not violated the human rights of the deceased.

? The petitioners were only discharging their official duties as police personnel, and there is no substantial evidence to prove that they violated the human rights of the deceased. Therefore, the impugned order is not legally sustainable and is liable to be set aside.



W.P No. 12111 of 2021

WEB COPY

4. In response, Mr. B. Mahindra Naidu, learned counsel for the second respondent, submitted that the report of the Joint Commissioner, coupled with the confession video of the deceased Rajesh, clearly established that the petitioners had harassed the deceased. He argued that under the guise of discharging their duties, the Petitioners violated the human rights of the deceased Rajesh. In the absence of any perversity or illegality, the impugned order passed by the SHRC does not warrant interference.

5. Mr. T. Balaji, learned counsel representing Mr. A. Thiagarajan, learned standing counsel for the SHRC/first respondent, and Mr. K. Suresh, learned Government Advocate for respondents 3 and 4, adopted the submissions made by learned counsel for respondent 2.

6. The arguments advanced by the learned counsel for the parties and the materials placed on record have been duly considered.

7. In the confession video, the deceased Rajesh stated that around 8:00 a.m. on 25.01.2019, he drove a cab from Ambattur Padi to Koyambedu, picked up a woman employee at Anna Nagar 1st Signal, and waited for another employee. At that point, two police personnel came, hit the back of his car with a lathi, and asked him to move the vehicle. When he moved it to a nearby vacant spot, the same policemen returned and allegedly abused him with filthy



W.P No. 12111 of 2021

WEB COPY

language, despite his explanation that a woman passenger was present. He further stated that a similar incident had previously led another driver to commit suicide, but no action had been taken.

. Based on the news article reporting the confession video, the SHRC took suo motu cognizance and sought a report from the Commissioner of Police. The Joint Commissioner, West Zone, submitted a report dated 24.06.2019, in which it was stated that Head Constable S. Perumal and Sub-Inspector S. Thangam were on duty at the time of the incident. The 25 police personnel examined during the enquiry denied having used abusive language. However, the SHRC disbelieved the report, stating that the Joint Commissioner had failed to recover the deceased's Android mobile phone and had submitted the report without proof, allegedly to shield the officers.

9. The only relevant material witness—Selvi Keerthana, the woman passenger was not summoned for enquiry by the SHRC. She had stated before the Joint Commissioner that she was busy working on her laptop and did not pay attention to the events, and that the driver later picked up another employee and left the area.



W.P No. 12111 of 2021

WEB COPY

10. Despite acknowledging her presence, the SHRC did not examine her, which was essential for verifying the allegations and identifying the petitioners as the individuals who had abused the deceased Rajesh on the date of the incident. The petitioners, in their counter, stated that they were on duty at the signal managing traffic due to congestion following an accident. They merely directed vehicle owners to move their parked vehicles and denied using any abusive language or lathi.

11. The deceased Rajesh's general and omnibus allegations in the video, without corroborative evidence or testimony from the woman passenger, are insufficient to conclude that the petitioners violated his human rights. His claim that he was continuously harassed is unsubstantiated, and there is no concrete evidence that he was beaten or abused on the date of the incident.

12. In light of the foregoing discussion, this Court is of the considered view that there is no material before the SHRC to substantiate the allegations against the petitioners. The finding that the petitioners violated the human rights of the deceased Rajesh is not supported by any reliable or corroborated



W.P No. 12111 of 2021

WEB COPY

evidence. Hence, the impugned order passed by the SHRC is legally unsustainable.

13. In the result, the impugned order dated 01.04.2021 passed by the SHRC in SHRC Case Nos. 248 and 4405 of 2019, insofar as it relates to the petitioners herein, is set aside. The writ petition is allowed. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

(M.S., J.) (H.C., J.)

11.08.2025

Index:Yes

Internet : Yes

Neutral Citation: Yes

ak

To

1.The Registrar

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

2.The Principal Secretary to Government,
Home, Prohibition & Excise Department,
Fort St.George, Chennai – 600 009.

3.The Director General of Police,
Dr.Radhakrishnan Salai,
Chennai-600004.



WEB COPY



W.P No. 12111 of 2021

M. SUNDAR, J.

and

HEMANT CHANDANGOUDAR, J.

ak

Pre Delivery Order in

W.P No. 12111 of 2021

11.08.2025