



W.P.No.13901 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON: 05.11.2025

PRONOUNCED ON: 21.11.2025

**THE HONOURABLE MR. JUSTICE M.S. RAMESH**

**AND**

**THE HONOURABLE MR. JUSTICE R.SAKTHIVEL**

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K.Harikrishnan (deceased)

2.Mohanasundari

3.Mahalakshmi

(P2 and P3 substituted as LR's of  
deceased sole petitioner vide order  
dated 08.09.2025 made in  
WMP.43125/2024 in WP.13901/2020)

... Petitioners

***Vs.***

1.The Principal Secretary,  
Government of Tamil Nadu,  
Secretariat, Chennai-600 009

2.The Additional Chief Secretary  
to Government,  
Government of Tamil nadu,  
Home Department, Secretariat,  
Chennai-600 009

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

4.R.Alagesan  
(Then) Inspector of Police,  
Sathangadu Police Station,  
Chennai City  
(At relevant point of time)

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 28.01.2020 on the implementation order of State Human Rights Commission Case No.3112 of 201 dated 07.11.2019.

For Petitioners : Mr.M.Ramiah

For Respondents : Mr.G.Ameedius  
Government Advocate for R1 to R3

### **ORDER**

**M.S.RAMESH, J.**

In the order of the State Human Rights Commission (hereinafter



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referred to as '(Commission)' in SHRC No.3112 of 2012 dated 07.11.2019, recommendations were made to the Government to pay compensation of Rs.25,000/- to the complainant K.Harikrishnan, with a consequential direction to recover the same from the fourth respondent herein and also for initiation of disciplinary action against him. Pursuant to the order, the original complainant had given a representation dated 28.01.2020, for implementation of the said order. Alleging that no action has been taken on his representation, he has filed the present Writ Petition.

2. Pending the Writ Petition, the complainant died and was substituted by his legal heirs.

3. Heard the learned counsel for the petitioners and the learned counsels appearing for the respondents.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate



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orders in one way or other, instead of keeping the same pending indefinitely.

As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

5. Since that the original complainant had expired, it would be desirable to grant liberty to his legal heirs to make a fresh representation, and by consequentially directing to the Government to consider the same, the ends of justice could be secured.

6. Accordingly, the petitioners herein are at liberty to make a fresh representation to the second respondent herein. On receipt of the same, the second respondent shall consider the petitioner's representation and pass appropriate orders on merits and in accordance with law, if not already complied with, within a period of four (4) weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioners, private respondent herein and any other person who may be interested in the subject matter.



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7. With the above direction, this Writ Petition stands disposed of. No costs.

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

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No  
Anu

To

1.The Principal Secretary,  
Government of Tamil Nadu,  
Secretariat, Chennai-600 009

2.The Additional Chief Secretary  
to Government,  
Government of Tamil nadu,  
Home Department, Secretariat,  
Chennai-600 009

3.The Special Secretary to Government,  
Public (HR) Department,

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Secretariat, Chennai-600 009

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

Anu

Pre-delivery order in  
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