



W.P.No.24485 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 09.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **P.DHANABAL**

W.P.No.24485 of 2022
&
W.M.P No.23449 of 2022

S.Rajasekaran

... Petitioner

Vs.

1. State Human Rights Commission
Rep. By its Registrar
No.143, T.S.Kumarasamy Raja Salai (Greenways Road)
Chennai – 600 028

2. Tmt.Shofia

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorari Mandamus to quash the order dated 16.08.2022 made by the first respondent in SHRC Case No.6517 of 2020 rejecting the petitioner's request to let in additional evidence and for consequential direction to the first respondent Commission to hear the case on merits after affording opportunity to the petitioner to let in additional evidence and place the submission on merits.



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For Petitioner : Mr.C.K.Chandrasekhar

For Respondents : Ms.Sharda Vivek
Standing counsel for R1

No appearance for R2

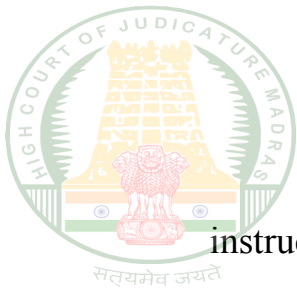
ORDER

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

A complaint dated 04.08.2020 made to R1-State Human Rights Commission (SHRC) by writ petitioner alleging violation of human rights *inter alia* by R2/Police authorities is the genesis of the matter.

2.Afore-referred complaint of writ petitioner was taken on file as SHRC Case No.6517 of 2020 by SHRC.

3. The complainant sought transfer of the matter but Mr.C.K.Chandrasekhar, learned counsel for writ petitioner very fairly submits that owing to the reconstitution of the Commission and change of Members (in the light of passage of time), this transfer plea has become infructuous. This submission is recorded. Learned counsel also submits, on



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instructions, that the complainant is now ready to proceed with the matter before SHRC.

4. Be that as it may, the point is, the complainant filed a petition under Section 311 of erstwhile 'The Code of Criminal Procedure, 1973' ['Cr.P.C' for the sake of brevity] with a prayer to examine three more witnesses on his side after examining himself as PW1. The details of witnesses are as follows:

1. Inspector of Police
W22, AWPS, Mylapore
Chennai
(during the relevant period)
2. R.Amuthan Venkatesh
No.19, Seethakathi Salai
Second Block
Mugappair East
Chennai – 600 037
3. S.Srinivasan
No.5E, Block No.4
Ceebros Shymala Gardens
136, Arcot Road
Virugambakkam
Chennai – 600 092

The above petition was filed in June of 2022 at the argument stage after the respondent's side evidence was completed.



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5. In and vide an order dated 16.08.2022, SHRC dismissed the afore-referred petition and this 16.08.2022 order of SHRC is the impugned order in captioned WP.

6. Ms.Sharada Vivek, learned Standing counsel for R1 (SHRC) is before us on the 'VC' ['Video-conferencing'] platform and learned Standing counsel submits that there is a delay on the part of the writ petitioner/complainant and therefore, the impugned order came to be made. It is to be noted that R2 (Sub-Inspector of Police), who is the opposite party before SHRC, has been duly served and name together with complete address as in the cause title is shown in the cause list but none appears. This Court is informed that R2 has not chosen to enter appearance through any counsel. Therefore, the main WP is being taken up as this Court notices that R2 has been given sufficient opportunity vide earlier listings.

7. Learned counsel for writ petitioner submits that three further witnesses (PW2 to PW4) will be examined within twelve weeks from today i.e., on or before 01.09.2025. This submission is recorded. In this view of



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the matter, this Court is of the considered view that it would a better option to allow the complainant to examine three witnesses and give a closure to the proceedings before SHRC one way or the other rather than delving into the impugned order which would only cause further delay.

8. In the light of the narrative, discussion and dispositive reasoning thus far, the following order is made:

i) Impugned order of SHRC, being order dated 16.08.2022, negating the plea to examine three further witnesses is set aside;

ii) Writ petitioner/complainant shall now examine three further witnesses (PW2 to PW4) as expeditiously as possible but in any event within 12 weeks from today i.e., on or before 01.09.2025;

iii) All rights of R2 to cross examine PW2 to PW4, who are proposed to be examined, are preserved;

iv) SHRC shall issue notice to R2 about listing of the matter so that R2 can participate in the proceedings;



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v) Thereafter, the matter will proceed on its own merits

WEB COPY and in accordance with law at the discretion of SHRC.

Captioned WP disposed of in the aforesaid manner. Consequently, the connected writ miscellaneous petition is closed. There shall be no order as to costs.

(M.S.,J.)

(P.D.B.,J.)

09.06.2025

Index : Yes / No

Neutral Citation : Yes / No

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To

The Registrar

The State Human Rights Commission

No.143, T.S.Kumarasamy Raja Salai

(Greenways Road)

Chennai – 600 028



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**M.SUNDAR, J.,
and
P.DHANABAL, J.,**

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