



W.P.No.29121 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 15.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR
and
THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR

W.P.No.29121 of 2022
&
W.M.P.No.28408 of 2022

Singaravelu
S/o.R.Kaliaperumal
Inspector of Police
Sirkazhi Police Station
Nagapattinam District

... Petitioner

vs.

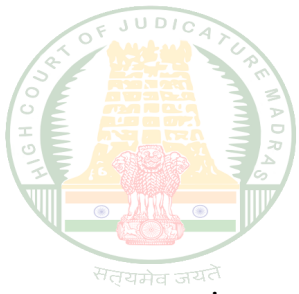
1. The Registrar
State Human Rights Commission
No.143, P.S.Kumarasamy Raja Salai
Greenways Road
Chennai - 600 028

2. M.Vishnukumar

3. Velu Kubendran

... Respondents

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Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorari to call for the records from 1st respondent in S.H.R.C case No.5499 of 2018 dated 06.09.2022 and quash the same.

For petitioners : Mr.J.Milton Arul Rajendran

For Respondents : Mr.K.Ranjith for R1 (SHRC)

Ms.S.Deepika for R2 and R3

ORDER

[Order of the Court was made by HEMANT CHANDANGOUDAR, J.]

The captioned writ petition has been filed seeking the issuance of a writ of certiorari to set aside the order dated 06.09.2022 passed by the State Human Rights Commission, Tamil Nadu [hereinafter referred to as “SHRC” for the sake of brevity and convenience] in SHRC Case No. 5499 of 2018. By the said order, the Government of Tamil Nadu was directed to pay a compensation of Rs.1,00,000/- (Rupees One Lakh only) to the victim, PW2 – Velu Kubendhran, and recover the said amount from the petitioner. Additionally, the Government of Tamil Nadu was directed to initiate disciplinary proceedings and launch criminal prosecution against



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the petitioner herein.

WEB COPY Facts of the Case Leading to the Filing of the Captioned Writ

Petition:

2.1 The second respondent/complainant filed a complaint before the first respondent (SHRC) stating that on 11.12.2017 at about 11:30 a.m., a dispute arose between political parties, during which members of the Viduthalai Siruthaigal Katchi were arrested by the Inspector of Police, Sirkazhi. It was alleged that the victim, Velu Kubendran, a practising advocate, was assaulted by the Inspector of Police using his hands and was also verbally abused. It was further contended that such conduct amounted to a violation of the victim's human rights.

2.2 The petitioner entered appearance and denied all allegations. The complainant Vishnu Kumar was examined as PW1, the victim Velu Kubendran was examined as PW2, and one S. Sundar, son of Singaru, was examined as PW3. Exhibits P1 to P5 were marked on the side of the complainant. However, the respondent did not choose to lead any evidence before the SHRC.



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3. After considering the materials available on record, the SHRC held that the petitioner had violated the human rights of the victim and passed the impugned order.

4. Heard Mr. J. Milton Arul Rajendran, learned counsel for the petitioner; Mr. K. Ranjith, learned counsel for the first respondent (SHRC); and Ms. S. Deepika, learned counsel for respondents 2 and 3.

5. PWs 1, 2, and 3, in their affidavits filed in lieu of examination-in-chief, reiterated the averments made in the complaint. PW1 filed his proof affidavit on 13.03.2021, and PWs 2 and 3 filed theirs on 07.10.2021. Despite being granted sufficient opportunity, the petitioner neither cross-examined PWs 1 to 3 nor adduced any evidence to disprove the allegations made by the complainant.

6. The SHRC, upon examining the CCTV footage marked as Ex.P2, noted that PW2 was assaulted by the petitioner with his hands while in the police station. A criminal case was also registered in Crime No. 507 of



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2017 for offences punishable under Sections 147, 148, 294(b), 324, 307, and 506(ii) IPC. The CCTV footage, coupled with the oral evidence of PWs 1 to 3, clearly establishes that the petitioner assaulted the victim (PW2), thereby violating his human rights. The finding of the SHRC is, therefore, supported by the evidence on record and warrants no interference.

7. It is noted that the SHRC recommended that the Government of Tamil Nadu initiate disciplinary proceedings against the petitioner and also launch criminal prosecution. However, there is no material on record to indicate that the petitioner had any prior record of human rights violations while serving as an Inspector of Police or in any other official capacity. The learned counsel appearing for the complainant and the victim, upon instructions, submitted that it would suffice if the portion of the SHRC's order awarding compensation of Rs.1,00,000/- is sustained and the recommendations for disciplinary and criminal proceedings are set aside, subject to a caution that the petitioner shall refrain from such conduct in the future. This submission is taken on record.



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8. In light of the above, the following order is passed:

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i) The captioned writ petition is allowed in part. The impugned order dated 06.09.2022 passed by the SHRC in S.H.R.C. Case No. 5499 of 2018 is confirmed insofar as it directs the payment of compensation of Rs.1,00,000/- (Rupees One Lakh only) to PW2 (the victim). The order is set aside insofar as it recommends that the Government of Tamil Nadu initiate disciplinary proceedings and launch criminal prosecution against the petitioner. The petitioner shall not be involved in such acts in the future.

ii) Today, learned counsel for the petitioner has handed over a demand draft dated 15.07.2025, drawn on DCB Bank in favour of the victim, Velu Kubendran (third respondent herein), for Rs.1,00,000/- (Rupees One Lakh only), to learned counsel for respondents 2 and 3 in open Court. The receipt of the same is acknowledged.

iii). Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

[M.S., J.]

[H.C., J.]

15.07.2025

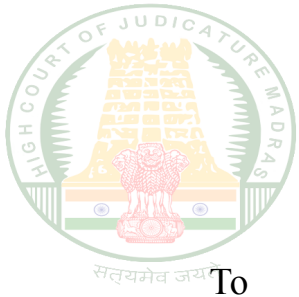
Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

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To
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State Human Rights Commission - Tamil Nadu
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HEMANT CHANDANGOUDAR, J.

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