



W.P.Crl.No.1290 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.Crl.No.1290 of 2025

and

W.P.M.P.Crl.Nos.622 and 623 of 2025

M.Sathyan Sundara Rajan @ Kovai Sathyan
S/o. M.Mohana Krishnan

... Petitioner

Versus

1. The Chairperson,
Tamil Nadu State Commission for the Scheduled Castes
and Scheduled Tribes,
No.735, Anna Salai, Chennani - 600 002.

2. The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai - 600 007.

3. The Deputy Commissioner of Police,
Triplicane, Chennai - 600 002.



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4. The Assistant Commissioner of Police,
Nungambakkam Range, Egmore,
Chennai.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the 1st respondent in SMP No.16/2025 dated 30.10.2025 and quash the same as illegal, without jurisdiction and consequently forbear the respondent police authorities from registering any criminal case or initiating any coercive action pursuant to the said proceedings.

For Petitioner	:	Mr.D.Selvam for R.Mardurai Veeran
For Respondents	:	Mr.S.Sathiachandran for R1 Mr.R.Munniyapparaj Additional Public Prosecutor for R2 to R4

ORDER

(Order of the Court was made by P.VELMURUGAN J.)

This Writ Petition has been filed challenging the proceedings in SMP.No.16/2025 dated 30.10.2025, passed by the first respondent, and consequently seeking a direction to forbear the respondents-police from



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registering any criminal case or initiating any coercive action pursuant to the said proceedings.

2. The petitioner, who is the National Spokesperson of the political party, namely, All India Anna Dravida Munnetra Kazhagam (AIADMK), participated in a televised debate on 29.10.2025 on the channel 'Malai Murasu Seidhigal', wherein he expressed his views concerning the ongoing electoral process. The statements made by the petitioner were restricted to procedural issues and alleged administrative lapses and were neither directed against nor intended to malign any particular community. However, the first respondent - the Tamil Nadu State Commission for Scheduled Castes and Scheduled Tribes, without issuing any notice to the petitioner and in excess of its statutory jurisdiction, has *suo motu* passed impugned proceedings directing registration of a criminal case against the petitioner in relation to the said statements.

3. Learned counsel for the petitioner submitted that as per Sections 8 and 9 of the Tamil Nadu State Commission for the Scheduled Castes and the Scheduled Tribes Act, 2021, the Commission is empowered to inquire into



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complaints relating to violation of rights under the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and recommend to the Government for initiation of disciplinary action in cases of wilful negligence on the part of any public servant. However, the Commission is not vested with any statutory authority to direct the police to register a First Information Report, order investigation, or initiate prosecution. In the present case, the Commission acting beyond the scope of its statutory powers, has *suo motu* directed respondents 3 and 4 to register an FIR against the petitioner, without conducting any preliminary inquiry, which action is arbitrary and violative of Articles 14, 19(1)(a) and 21 of the Constitution of India.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondents submitted that the impugned proceedings were issued with the scope of the powers conferred under the Tamil Nadu State Commission for the Scheduled Castes and Scheduled Tribes Act, 2021. It was contended that the Commission being a statutory body entrusted with the protection of the rights of Scheduled Castes and Scheduled Tribes, is empowered to take *suo motu* cognizance of matters involving alleged violations of such rights. He further submitted that the statements made by the petitioner during the



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televised debate, in the context of the ongoing electoral process, were capable of adversely affecting the interests of the Scheduled Castes and Scheduled Tribes, thereby, necessitating intervention. It was therefore, contended that no interference is warranted by this Court under Article 226 of the Constitution of India.

5. Undoubtedly, under Article 338 and 338A of the Constitution of India, the Commission is empowered to inquire into complaints relating to violation of rights under the Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and recommend to the Government for initiation of disciplinary action in cases of wilful negligence on the part of any public servant. However, on a perusal of the impugned proceedings reveals that in the case on hand, the Commission has neither conducted any inquiry nor prepared any inquiry report, and no recommendations have been made on the basis of such inquiry. Without following the procedure contemplated under law, the Commission has straight away directed the respondents-Police to initiate action against the petitioner, which is clearly beyond its statutory jurisdiction.



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6. In view of the absence of any inquiry, the impugned proceedings of the first respondent dated 30.10.2025, is hereby set aside and the matter is remitted back to the first respondent for fresh consideration. The Commission is directed to conduct an inquiry in accordance with law and on the basis of the inquiry report, make suitable recommendations to the appropriate authority, in the manner known to law.

7. It is made clear that if any FIR has already been registered not pursuant to the recommendations of the Commission shall remain valid, and any complaint filed not on the basis of such recommendations shall not preclude the investigating officer from proceedings with the investigation in accordance with law.

8. With the above observations, this Writ Petition is allowed. Consequently, connected miscellaneous petitions are closed.

[P.V.,J.] [M.J.R.,J.]

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Index: Yes/No

Neutral Citation: Yes/No

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5. The Public Prosecutor
High Court, Madras.



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