



W.A(MD)No.1186 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 02.06.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD)No.1186 of 2025

C.Poomayil

... Appellant /
Petitioner

Vs.

- 1.The Secretary to Government,
Home Department,
St.George Fort,
Chennai – 600 009.
- 2.The Director General of Police,
Dr.Rathakrishnan Road,
Chennai.
- 3.The District Collector,
Madurai.
- 4.The Superintendent of Police,
Surveyor Colony,
Madurai.
- 5.The Deputy Superintendent of Police,
Oomachikulam Division,
Madurai.



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6.The Inspector of Police,
Oomachikulam Police Station,
Madurai.

7.The Inspector of Police,
CBCID,
Madurai.

8.Thangavel

9.Raman

10.Balaji

11.Radhamahesh

12.Jeyaraman

13.Murugan

14.Solaimalaikannan

... Respondents /
Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the Writ Appeal and enhance the compensation ordered by the Hon'ble single Judge in W.P(MD)No.18086 of 2015 dated 19.10.2022.

For Appellant : Mr.R.Alagumani

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.1 to R.7

Mr.G.Janath Ahmed
for R.10



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JUDGMENT

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Heard both sides.

2.The appellant's husband died when he was in Police custody. Seeking compensation the appellant filed W.P(MD)No.18086 of 2015. The writ petition was disposed of by the learned single Judge on 19.10.2022 by fixing the compensation payable at Rs.5,00,000/- (Rupees Five Lakhs only). The Department had already paid Rs.1,00,000/- (Rupees One Lakh only) to the appellant. The Department was directed to pay the balance amount of Rs. 4,00,000/- (Rupees Four Lakhs only) as additional compensation. Aggrieved by the said order, the writ petitioner has filed this Writ Appeal.

3.We are unable to interfere with the order of the learned single Judge for the simple reason that there is no material to show that the appellant's husband died due to any torture meted out by the Police personnel. Unless there is evidence to indict the Police, the State cannot be made liable. It is true that the appellant's husband died when he was in custody. But that circumstance, by itself is not enough. The Police have come out with a credible explanation.



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That has not been dislodged by the appellant. In these circumstances, we are of

the view that the learned single Judge was rather generous. We earnestly hope

that the Department will comply with the direction as expeditiously as possible.

The order passed by the learned single Judge is confirmed.

4.This Writ Appeal stands dismissed. There shall be no order as to costs.

[G.R.S., J.] [K.R.S., J.]
02.06.2025

NCC : Yes / No

Internet : Yes / No

Index : Yes / No

MGA

To

- 1.The Secretary to Government,
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G.R.SWAMINATHAN, J

and

K.RAJASEKAR, J.

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