



WMP(MD) NO. 19937 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21-03-2025

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MRS JUSTICE S.SRIMATHY

WMP(MD) NO. 19937 of 2022

in W.P(MD)No.21347 of 2021

Shanthi S

W/o.Vincent Shaji , 8/2D, North Street , Pudhukottai,
Kanyakumari District - 629171.

Petitioner(s)

Vs

State Human Rights Commission
Rep by its Member , No.143, P.S.Kumarasamy Raja Salai ,
Greenways Road , Chennai - 600028.

Respondent(s)

For Petitioner(s):

Mr.M.P.Senthil
for Mr.S.Jebastin

ORDER

(Order of the Court was made by the Hon'ble J.Nisha Banu J.)

This petition is filed to grant extension of time to comply with the conditions of interim order made in W.M.P(MD)No.17907 of 2021 in W.P(MD) No.21342 of 2021, dated 02.12.2021.



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2. When the matter came up for hearing on 02.12.2021, this Court granted an order of interim stay on condition that the petitioner deposits a sum of Rs.50,000/- to the credit of SHRC Case No.1571 of 2013 on the file of the first respondent on or before 05.01.2022, failing which, interim stay granted shall stand automatically vacated without further reference to this Court.

3. Mr. M.P. Senthil, learned counsel appearing for the petitioner would submit that since on the eve of Covid-19 pandemic the concerned Registry of State Human Rights Commission was not functioning in full fledged manner, the petitioner was not in a position to comply with the conditional order passed by this Court. Therefore, the then counsel on record had also given a letter to the Registry on 06.01.2022 to list the W.M.P(MD)No.17907 of 2021 along with W.P(MD)No.21347 of 2021 under the caption 'for being mentioned' at the earliest seeking for extension of time to comply with the above said conditional order. Since it was a pandemic time, the entire court proceedings was held only through the hybrid mode. Hence, all her bona fide efforts to comply with the above said conditional order entered in vain. Subsequently, the petitioner went in person to State Human Rights Commission Tamil Nadu, Chennai and approached the Registry to receive the deposit for a sum of Rs.50,000/- to the credit of State Human Rights Commission in

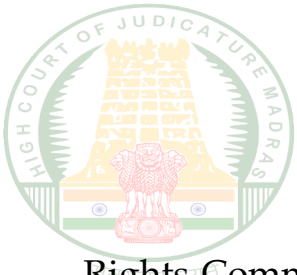


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case No.1571 of 2013. She had also taken a Demand Draft vide D.D.No.623586, dated 19.10.2022 in favour of the State Human Rights Commission, Chennai along with an enclosure letter bearing D.No.16790/CR/2022. In response to the above said letter and Demand Draft sent by the petitioner, she had received a letter from the Registrar in charge of State Human Rights Commission, Chennai dated 25.10.2022 stating that 'as directed by the Hon'ble Chairperson, he returning the D.D bearing No.623586 dated 19.10.2022 drawn on State of India, R.A Puram. Since the time for compliance of conditional order has expired and not extended. Kindly, acknowledge the receipt of the same. Further, the State Human Rights Commission, Chennai had returned back D.D taken in favour of the second respondent for a tune of Rs.50,000/- back to the petitioner with the above mentioned letter. Therefore, the non-compliance of the order in W.M.P(MD)No.17907 of 2021 in W.P(MD)No.21347 of 2021 pending before this Court is neither wilful nor wanton. Hence, the petitioner once again prayed this Court to grant extension of time to the petitioner to comply with the conditions of the interim order made in W.M.P(MD)No.17907 of 2021 in W.P(MD)No.21347 of 2021 pending before this Court.

4.Considering the facts and circumstances of the case and also considering the fact that even in the pandemic period, the petitioner had sent a Demand Draft vide D.D.No.623586, dated 19.10.2022 in favour of the State Human



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Rights Commission, Chennai, however, the said Demand Draft was returned to the petitioner and the petitioner has also filed the petition in the year 2022 and thereafter, the petitioner had not been listed and the matter has been listed only on 12.03.2025 and therefore, this Court is inclined to grant extension of time to comply with the conditional order passed by this Court in W.M.P(MD)No.17907 of 2021 in W.P(MD)No.21342 of 2021, dated 02.12.2021.

5.Accordingly, this petition is allowed and the petitioner is directed to comply with the conditional order passed by this Court in W.M.P(MD)No.17907 of 2021 in W.P(MD)No.21342 of 2021, dated 02.12.2021 on or before 01.04.2025.

sd/-
21/03/2025

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/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ps

To
The officer incharge, State Human Rights Commission
No.143, P.S.Kumarasamy Raja Salai , Greenways Road ,
Chennai - 600028.

+1 CC to M/s.S.JEBASTIN, Advocate (SR-3272[I] dated 21/03/2025)

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ORDER
IN
WMP(MD) No.19937 of 2022
IN
WP(MD) No.21347 of 2021
Date :21/03/2025

MK/SAR /25.03.2025 5P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023