



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 11-03-2026**

CORAM

**THE HON'BLE DR JUSTICE G. JAYACHANDRAN  
AND  
THE HON'BLE MR.JUSTICE SHAMIM AHMED**

**WP Nos. 17353 & 19105 of 2021**

**and**

**WMP Nos. 18387, 18388 & 20385 of 2021**

1. S.Padmanaban  
Revenue Assistant, Gudiyatham Municipality,  
Gudiyatham, Vellore District-632 602
2. J.Sundar  
Revenue Assistant, Gudiyatham Municipality,  
Gudiyatham, Vellore district-632 602
3. S.Sekar  
Tap Inspector, Gudiyatham Municipality,  
Gudiyatham, vellore District-632 602

..Petitioners

Vs

1. The Registrar,  
The State Human rights Commission-  
TamilNadu,  
No.143, P.S.Kumarasamy Raja salai,  
Greenways Road,  
Chennai-60028.
2. The Principal Secretary to Government  
Municipal Administration and water supply  
Department, secretariat, chennai-600 009
3. K.Lalitha

..Respondents



**WP No. 19105 of 2021**

**K.Saravanan**

Revenue Inspector, Gudiyatham Municipality,  
Gudiyatham, Vellore District- 632602.

..Petitioner

Vs

1. The Registrar  
The State Human rights Commission- Tamil  
Nadu No.143, P.S.Kumarasamy Raja Salai,  
Greenways Road, Chennai- 600 028.
2. The Principal Secretary to Government  
Municipal Administrative and Water Supply  
Department, Secretariat, Chennai- 600 009.
3. K.Lalitha

..Respondent(s)

**COMMON PRAYER:** Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, Calling for the records relating to the impugned order dated 31.12.2020 made in SHRC Case No.735/ 2019 on the file of the 1<sup>st</sup> respondent and quash the same.

**In Both Cases**

For Petitioners: Mr.M.Balakrishnan

For Respondents: Mr.V.Ravi,  
Special Government Pleader For R2  
Mr.Arun Anbumani For R1  
No appearance For R3

**COMMON ORDER**

**(Order of the Court was made by Dr.G.Jayachandran J.)**

These two Writ Petitions have been filed by the respondents 1 and 2 in the complaint heard by the State Human Rights Commission, which was preferred by one Smt.K.Lalitha.



2. The sum and substance of the complaint is that the complainant, Lalitha was carrying on business in Pichanoor, Gudiyatham Town. She challenged the property tax notice issued by the Gudiyatham Municipality by way of writ petition and obtained an order of stay. Being aggrieved, the Revenue Inspector and the Bill Collector of the Gudiyatham Municipality allegedly dumped garbage in front of her business premises, thereby causing health hazard, nuisance and annoyance. Alleging that such an act amounted to violation of her human rights, she approached the State Human Rights Commission seeking redressal.

3. The complaint was defended by filing a counter-statement by the respondents stating that the allegations of dumping garbage in front of the business premises of the petitioner/complainant is false. However, based on three specific documents relied on by the complainant, the State Human Rights Commission arrived at conclusion that the complainant has proved the allegations levelled against the respondents and the said act is violation of human rights. Therefore, to meet the ends of justice, the Commission directed that the complainant be compensated in the sum of Rs.40,000/- with the said amount to be recovered from the respondents.

4. Challenging the recommendations of the State Human Rights Commission, the 1<sup>st</sup> respondent, Saravanan has preferred W.P.No.19105 of



2021. The rest of the respondents 2 to 4 had preferred W.P.No.17353 of 2021.

Apart from the substantial question as to whether dumping of garbage on the public road, which happens to be in front of the complainant's premises, would amount to a violation of human rights, another plea raised by the writ petitioners is that pending complaint, the complainant had filed a memo before the State Human Rights Commission stating that the matter had been amicably settled between herself and the respondents and therefore, she wants to withdraw the complaint. Despite the filing of the said memo and affidavit by the complainant seeking withdrawal of the complaint, the State Human Rights Commission proceeded further with the enquiry on the complaint and arrived at the conclusion with the above recommendation.

5. The learned counsel appearing for the State Human Rights Commission submitted that the records maintained by the Commission reveal that the complainant had filed a memo and affidavit seeking to withdraw the complaint.

6. However, we find from the impugned order that there is no reference about the said memo and affidavit for withdrawal. The Commission has mechanically proceeded with the complaint even without recording any oral evidence from the complainant and only on the basis of three documents marked along with the complaint. Those documents are only notices relating to



the demand of property tax.

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7. From the record, we find that the writ petition referred in the complaint was ultimately dismissed as infructuous, since the complainant had remitted the entire tax demanded. While so, we find that the order of the Human Rights Commission, which is impugned before us, suffers non-application of mind and has resulted in an unjustifiable recommendation. Hence, the said order is hereby set aside.

8. In the result, these Writ Petitions stand allowed. Consequently, the connected Miscellaneous Petitions stand closed. No costs.

(G.J.,J.) (S.S.A.,J.)  
11-03-2026

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

rpl

To

1. The Registrar  
The State Human Rights Commission- TamilNadu,  
No.143, P.S.Kumarasamy Raja salai,  
Greenways Road, Chennai-60028.
2. The Principal Secretary to Government  
Municipal Administration and water supply Department,  
Secretariat,  
Chennai-600 009



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WP No. 17353 of 2



**DR.G.JAYACHANDRAN J.**  
**and**  
**SHAMIM AHMED J.**

**rpl**

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**and**  
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