



W.P.No.49228 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.49228 of 2025
and W.M.P.No.54998 of 2025

A.Mayavadharam,
Head Constable,
Karaikudi South Police Station,

.. Petitioner

Vs.

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

2.The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.

3.N.Nithiya @ Vasuki,
D/o.Nagarajan,
C/o.R.Ponniyin Selvan,
1/73, Periya Pudupattinam,
Keezhavasathachavadi,
Thanjavur - 614 904.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India
seeking issuance of a writ of Certiorari calling for the entire records of



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the 1st respondent in connection with the impugned order passed in SHRC Case No.5776/22/34 of 2021 dated 20.11.2025.

For Petitioner : Mr.R.Sreerangan

ORDER

(Order of the Court was made by G.Arul Murugan, J.)

This writ petition is filed assailing the order of the State Human Rights Commission dated 20.11.2025 in SHRC Case No.5776/22/34/2021, allowing the complaint thereby recommending grant of compensation and initiation of disciplinary proceedings.

2. Heard Mr.R.Sreerangan, learned counsel for the petitioner and perused the materials available on record.

3. The 3rd respondent/complainant had preferred a complaint before the Commission alleging human rights violation. As per the complaint, the complainant worked as welcome girl in functions and other celebrations. She along with other girls was employed by one Raja, the event manager. The petitioner, who worked as Writer in Sakkottai Police Station was close to the event manager and it is



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alleged that the petitioner, police constable, had involved in the acts of sexual harassment.

4. On 07.04.2021 at 7.00p.m., the complainant received a phone call from the personal cell phone of the petitioner, who introduced himself as Writer Mayavadharan working in Sakkottai Police Station. It was stated that one Raja had lodged a complaint against her and she has to appear in person before the police station. There were repeated calls and further, she was informed that she has to come to a place as informed by the petitioner and not to the police station. The petitioner spoke in an inappropriate manner and the complainant was threatened that false cases would be registered. Further, a demand for money and certain favours were sought, which resulted in lodging of the complaint.

5. The petitioner resisted the complaint by filing a reply controverting the allegations. In reply, the petitioner admitted that he had, infact made a phone call on 07.04.2021 to the complainant. It is claimed that only based on the complaint given by Raja, Inspector of Police had directed the petitioner to enquire into the same. Only due to which he had contacted the complainant through phone. It is also



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stated that Raja proposed to settle the issue, but the complainant did not cooperate. Further, after examination it was found that the place of occurrence did not fall under the jurisdiction of Sakkottai Police Station but rather falls under Somanathapuram Police Station and therefore, the said Raja was advised to seek remedy before the concerned police station.

6. On receipt of the complaint, the Commission had directed the Superintendent of Police, Sivagangai, to enquire and submit a report. Based on the enquiry, a case in Crime No.183 of 2021 came to be registered against the petitioner for offences under Section 354(A)(1) (ii) of IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 4(1)(a)(b) of Information Technology Act and on completion of the investigation, final report was filed. Departmental action was also taken, based on which the petitioner was transferred to another sub-division.

7. During enquiry, the complainant had examined 2 witnesses, PW1 and PW2 and marked exhibits P1 to P7. The petitioner also examined himself as RW1 and marked 11 documents. The Commission, after considering the entire evidence available on record,



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came to the conclusion that the complainant was harassed and sexually abused by the petitioner, which is in violation of human rights.

The Commission, on finding so, recommended the State to pay compensation of Rs.2,00,000/- to the complainant, which could be recovered from the petitioner and also recommended for initiation of disciplinary proceedings against the petitioner as per the rules.

8. The Commission had considered the oral evidences led in by the complainant and documents filed to substantiate the case. Ex.P3 / screenshots taken from the mobile phone were filed along with pen drive in Ex.P7. Apart from filing the materials, the petitioner, who was examined as RW1 was cross-examined extensively.

9. The Commission had considered the admissions made by the petitioner/RW1 in the cross-examination. The petitioner admitted that the pen drive filed by him as Ex.R1, is an edited conversation, which is in violation to the certificate filed by him under Section 65(B) of the Evidence Act. In Ex.R1/pen drive, there is evidence to the effect that the petitioner had spoken to the complainant on 08.04.2021 from his personal phone number to the complainant's phone number. The petitioner candidly admitted that he has no power to enquire into the



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complaint and he is not an investigating officer. He has only claimed that he conducted enquiry based on the instructions of the Inspector of Police.

10. The Commission had analysed the materials and has recorded factual finding that no case was registered in Sakkottai Police Station where the petitioner worked based on the complaint of Raja and even no CSR was filed. Therefore, the very alleged complaint dated 25.03.2021, based on which the petitioner claimed to have conducted an enquiry, was found false. The petitioner had not substantiated that any complaint was received, which was registered in the general diary. From the materials filed, it was found that the petitioner had conducted a detailed enquiry with the complainant without any complaint or any authority. The petitioner also failed to examine the Inspector or file any materials to substantiate his claim.

11. The Commission had also taken note of the case registered against the petitioner based on the complaint of the 3rd respondent. It is not a case of any error or excess of jurisdiction. The Commission had conducted a detailed enquiry, provided sufficient opportunities to the parties and based on the materials available, both oral and



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documentary, had rendered a factual finding concluding that there is human rights violation on the part of the petitioner. Under such circumstances, this Court, exercising the jurisdiction under Article 226 of the Constitution of India in writ of certiorari, cannot readjudicate upon the factual finding rendered.

12. When no error on jurisdiction or any procedural violation in the enquiry is put forward, we do not find any illegality or perversity in the finding arrived at by the Commission in passing the impugned order. Considering the seriousness of the complaint and recommendations made by the Commission, it is for the State to implement the same.

13. Accordingly, the writ petition stands dismissed. There shall be no order as to costs. Consequently, interim application stands closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN, J)
02.02.2026

Index : Yes/No
Neutral Citation : Yes/No
sri



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To

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