



WEB COPY



W.P.No.16687 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.16687 of 2026

V.Sagaya Praveen
Son of Varghese
No.1 Tiruvallur Street
Kamarajapuram, Anakaputhur Post
Chennai-600 070.

Petitioner

Vs

- 1.The Registrar
State Human Rights Commission
P.S.Kumarasamy Raja Salai
Greenways Road, R.A.Puram,
Chennai 600 028.
- 2.The Principal Secretary to
Government
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009.
- 3.Sumathi
Inspector of Police
All Women Police Station
Tambaram
Tambaram Commissionerate.



W.P.No.16687 of 2026

WEB COPY

4. Anthony Stalin
Inspector of Police
Chengalpattu Town Police Station
Chengalpattu District.

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records relating to the order passed by the 1st respondent Commission in SHRC Case No.2800 of 2020 dated 21.05.2025, quash the same and impose extreme punishment in respect of the 3rd respondent and further hold that the 4th respondent is also liable for extreme punishment for his act of committing human rights violation of the petitioner.

For Petitioner: Mr.Subash Babu
Senior Counsel
for Mr.K.Subramanian

For Respondents: Mr.M.Habeeb Rahman
Government Advocate
for R2

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard.



W.P.No.16687 of 2026

2. This writ petition under Article 226 of the Constitution of India has been filed challenging the order of the first respondent dated 21.5.2025 in SHRC Case No.2800 of 2020.

3. Alleging human rights violations, the petitioner had filed a complaint before the first respondent and based on the complaint, the first respondent registered a case in SHRC Case No.2800 of 2020 against respondents 3 and 4 herein. Before the first respondent Commission, the complainant (writ petitioner) examined himself as P.W.1 and his father and aunt were examined as P.W.2 and P.W.3. Exs.P1 to 14 were marked. The third respondent herein examined herself as R.W.1 and the fourth respondent examined himself as R.W.2. No documents were marked on their side.

4. Upon consideration of the oral and documentary evidence, the first respondent Commission, vide impugned order dated 21.5.2025, came to the conclusion that the third respondent had violated human rights of the complainant and the fourth respondent had not violated the human rights of the complainant and the complaint against the fourth respondent was dismissed. Holding so, the first respondent has made the following recommendation:

Page 3 of 12



WEB COPY



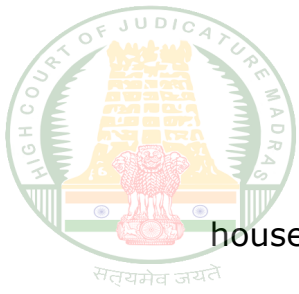
W.P.No.16687 of 2026

"The Government of Tamil Nadu shall pay a compensation of Rs.50,000/- (Rupees Fifty Thousand only) to the Complainant Thiru V.Sagaya Praveen, S/o Varghese, residing at No.1, Thiruvalluvar Street, Kamarajapuram, Anakaputhur, Chennai, within one month from the date of receipt of a copy of this Recommendation and the Government of Tamil Nadu may recover Rs.50,000/- from the 1st Respondent as per the Rules. The Complaint against the 2nd Respondent is dismissed.

This Commission also recommends to initiate disciplinary proceedings against the 1st Respondent as per the Rules."

5. Assailing the order of the first respondent Commission, learned Senior Counsel for the petitioner submitted that the first respondent Commission without taking into consideration the oral and documentary evidence placed before it had merely discharged the fourth respondent. He would submit that the first respondent had ordered only a meagre compensation of Rs.50,000/- to the severe human rights violation caused to the petitioner.

6. Learned Senior Counsel for the petitioner further submitted that the order of the first respondent Commission is contrary to the deposition of the fourth respondent, wherein he had admitted that his



W.P.No.16687 of 2026

house was constructed by the petitioner's father. He had also admitted the filing of criminal cases against their own brother for the offences under Section 294(b), 324 and 506(2) IPC and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act for attacking the petitioner and his family members and also for attacking the petitioner's house.

7. Learned Senior Counsel for the petitioner submits that the first respondent Commission ought to have considered that the petitioner's father had deposed that the fourth respondent failed to repay the balance sum of Rs.6,20,150/ for the house constructed by him. In fact, the fourth respondent is the brother-in-law of the petitioner's wife and only because of the ill-advice given by the fourth respondent, the petitioner's wife had lodged a police complaint against the petitioner and his family members, which has been later on quashed by this Court.

8. Learned Senior Counsel then submitted that the first respondent Commission ought to have considered that only under the influence of the fourth respondent, the third respondent had committed human rights violation to the petitioner. The fourth



W.P.No.16687 of 2026

respondent had used his influence to the fullest and had harassed the petitioner and his family by filing several false cases by instigating the petitioner's wife.

9. Learned Senior Counsel submitted that the order of the first respondent Commission is complied with by the third respondent and no disciplinary proceedings is so far initiated against the third respondent. Thus, he prayed for quashing of the impugned order and to impose extreme punishments to respondents 3 and 4.

10. Since the gist of complaint and the respective plea/case of the petitioner as well as respondents 3 and 4 have been elaborately stated in the impugned order, this Court does not want to re-state the same again in this order.

11. The only point that arises for consideration in this case is whether the first respondent Commission erred in dismissing the complaint against the fourth respondent and whether the compensation of Rs.50,000/- fixed by the first respondent Commission is fair and reasonable.



W.P.No.16687 of 2026

WEB COPY

12. The first respondent Commission held that the third respondent threatened the complainant to hand over the key of the house and the same was handed over by the petitioner's aunt (PW3) to the third respondent, who in turn handed over the same to the wife of the petitioner. The first respondent Commission is of the view that the petitioner has proved that on 2.1.2020 the third respondent called the petitioner and his father without giving any mandatory notice for enquiry to the police station and the third respondent in her evidence admitted that she called the petitioner and his father over phone and the petitioner was detained in the police station in the name of enquiry which caused great insult and mental agony to the petitioner. The evidence of the petitioner and the other witnesses clearly prove that the petitioner was detained at the police station and he was called for enquiry without giving any notice as mandated under law. Therefore, the first respondent Commission was of the view that it is a clear case of violation by the third respondent against the petitioner.

13. We have gone through the complaint, wherein, among other narration, it is stated as under:

"Inspector Sumathi asked me everything. Inspector Anthony Stalin came and told me everything loudly. He



WEB COPY



W.P.No.16687 of 2026

stated that I should given the house key belonging to my wife – the key to the house at Kamarajar Nagar bearing Plot No.1, Ground Floor – otherwise he would file an FIR and put me in jail”.

Except the above narration, nothing has been attributed against the fourth respondent.

14. After quoting the decisions of the Apex Court as well as this Court, the first respondent Commission, while arriving at a conclusion that the allegation made against the fourth respondent is not proved by the evidence of P.W.1 and P.W.2, held that the action on the part of the third respondent amounts to violation of human rights of the petitioner and that the third respondent failed to prove her innocence that she performed her duty in accordance with law. Since the said finding of the first respondent Commission is based on oral and documentary evidence produced before it, we are not inclined to interfere with the same and, accordingly, the order of the first respondent Commission that the third respondent had violated the human rights of the petitioner and the fourth respondent had not violated the human rights of the petitioner is perfectly in order and no interference is warranted.



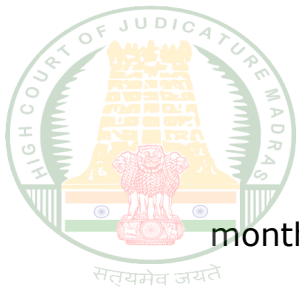
W.P.No.16687 of 2026

WEB COPY

15. Insofar the quantum of compensation is concerned, the first respondent Commission ordered compensation of Rs.50,000/- to be payable by the third respondent to the petitioner. Though the petitioner states that the said compensation is meagre, nothing has been produced to show that the same needs enhancement. The contention of the petitioner is also that the said nominal compensation of Rs.50,000/- has not been paid by the third respondent and further no disciplinary proceedings are initiated against the third respondent till date. Considering the facts and circumstances of the case, we are of the view that the compensation of Rs.50,000/- awarded by the first respondent Commission is fair and reasonable and the same warrants no interference by this Court.

16. The writ petition is dismissed. There shall be no order as to costs.

The recommendation of the first respondent Commission is upheld. The Government of Tamil Nadu is directed to pay the compensation of Rs.50,000/- to the petitioner within a period of one



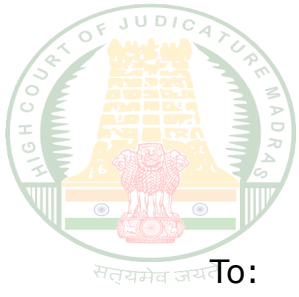
W.P.No.16687 of 2026

month from the date of receipt of a copy of this order and recover the same from the third respondent as per the Rules.

WEB COPY

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
28.04.2026

Index : Yes/No
Neutral Citation : Yes/No
bbr/sasi



W.P.No.16687 of 2026

To:

1.The Registrar
State Human Rights Commission
P.S.Kumarasamy Raja Salai
Greenways Road, R.A.Puram,
Chennai 600 028.

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



WEB COPY



W.P.No.16687 of 2026

THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(bbr/sasi)

WP No.16687 of 2026

28.04.2026