



W.P(MD) No.2443 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 06.04.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.P(MD) No.2443 of 2023
&
W.M.P.(MD)No.2214 of 2023**

A.R.Rayappan Kumar

... Petitioner

Vs.

- 1.The Registrar,
State Human Rights Commission,
Tamil Nadu,
No.143, P.S.Kumarasamy Raja Salai,
Greenways Road,
Chennai-600 028.**
- 2.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Government of Tamil Nadu,
Secretariat,
Chennai-600 009.**
- 3.The Principal Secretary to Government,
Health and Family Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.**



W.P(MD) No.2443 of 2023

4.Palanisamy

5.Rajarathinam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to call for the records relating to the impugned common order passed by the 1st respondent in SHRC Case Nos.6589 of 2015 and 6590 of 2015 dated 14.10.2022, quash the same as illegal.

For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader
R1 to R3

: no appearance
for R4 & R5

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

The petitioner herein challenges the order dated 14.10.2022 passed by the State Human Rights Commission, Tamil Nadu in SHRC Case Nos. 6589 of 2015 and 6590 of 2015.



W.P(MD) No.2443 of 2023

WEB COPY

2. It is seen that the petitioner herein figured as the third respondent in the complaint filed before the Human Rights Commission. The Respondents 1 and 2 were the Inspector of Police and Sub-Inspector of Police respectively of Annavasal Police Station in Pudukkottai District. All the three respondents in the complaint before the Human Rights Commission had challenged the impugned order. Unfortunately, this writ petition was not clubbed with W.P.(MD)No.4587 of 2023 filed by the police personnel. The Hon'ble Division Bench of this court vide order dated 02.12.2024 had set aside the impugned order passed by the Human Rights Commission. While allowing the writ petition filed by the police personnel, the Division Bench was under the erroneous impression that this petitioner had not challenged the order of the Human Rights Commission and that is why, an observation was made that the fine imposed on the petitioner herein can be collected from him since he had not challenged the order of the Human Rights Commission. In fact, it was the petitioner who had challenged the impugned order first and the police personnel had only subsequently challenged the Human Rights Commission's order.



W.P(MD) No.2443 of 2023

WEB COPY

3. We had carefully gone through the order of the Hon'ble Division Bench. We are of the view that the reasons that impelled this court to quash the Human Rights Commission's order at the instance of the police personnel can equally be applied in the case of the petitioner also. Though the complainant before the Human Rights Commission had entered appearance through counsel, there is no representation on his behalf. The impugned order stands quashed. The Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (R.P., J.)
06.04.2026

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
rmi

To

1. The Registrar,
State Human Rights Commission,
Tamil Nadu,
No.143, P.S.Kumarasamy Raja Salai,
Greenways Road,
Chennai-600 028.



W.P(MD) No.2443 of 2023

2.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Government of Tamil Nadu,
Secretariat,
Chennai-600 009.

3.The Principal Secretary to Government,
Health and Family Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.



WEB COPY



W.P(MD) No.2443 of 2023

G.R.SWAMINATHAN, J.
AND
R.POORNIMA, J.

rmi

W.P(MD) No.2443 of 2023

06.04.2026