



W.P.(MD)Nos.20179 of 2016 & batch

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.02.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

**W.P.(MD)No.20179 of 2016
and
W.P.(MD)Nos.3294, 4819 and 4822 of 2017
and
W.M.P.(MD)Nos.2644, 3841 and 3845 of 2017**

W.P.(MD)No.20179 of 2016:-

Mohana Iyer

... Petitioner

Vs.

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

2.The Secretary to Government,
Home Department,
Fort.St.George,
Chennai.

3.The Superintendent of Police,
Kanniyakumari District,
Kanniyakumari.

4.A.Rameshkumar

... Respondents



W.P.(MD)Nos.20179 of 2016 & batch

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records in SHRC Case No.2672 of 2014 order dated 28.06.2016 on the file of the 1st respondent and quash the same so far as petitioner is concerned.

For Petitioner : Mr.H.Karuppasamy Pandiyan

For Respondents : Mr.S.S.Madhavan,
Addl. Government Pleader for R2.
Mr.K.Gnanasekaran,
Govt. Advocate (Crl. Side) for R3.
Mr.Pozhilan,
For M/s.Arul Vadivel @ Sekar Associates for R1.
Mr.R.Alagumani for R4

W.P.(MD)No.3294 of 2017:-

Sankar Kannan

... Petitioner

Vs.

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

2.The Secretary to the Government,
Home Department,
Fort.St.George,
Chennai.

3.The Superintendent of Police,
Kanniyakumari District,
Kanniyakumari.

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W.P.(MD)Nos.20179 of 2016 & batch

4.A.Rameshkumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records in SHRC Case No.2703 of 2014 order dated 28.06.2016 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.G.AK.Azagarsami

For Respondents : Mr.T.Amjadkhan,
Government Advocate for R2.
Mr.K.Gnanasekaran,
Govt. Advocate (Crl. Side) for R3.
Mr.Pozhilan,
For M/s.Arul Vadivel @ Sekar Associates for R1.
Mr.R.Alagumani for R4

W.P.(MD)No.4819 of 2017:-

Johnos

... Petitioner

Vs.

- 1.The State Human Rights Commission Tamilnadu,
Thiruvarangam,
No.143, P.S.Kumarasamy Raja Salai,
Greenways Road, Chennai - 600 028.
- 2.The Secretary to the Government,
Home Department,Fort.St.George,
Chennai.
- 3.The Superintendent of Police,
Kanniyakumari District,
Kanniyakumari.



W.P.(MD)Nos.20179 of 2016 & batch

4.A.Rameshkumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records in SHRC Case No.2672 of 2014 order dated 28.06.2016 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.Prakash

For Respondents : Mr.T.Amjadkhan,
Government Advocate for R2.
Mr.K.Gnanasekaran,
Govt. Advocate (Crl. Side) for R3.
Mr.Pozhilan,
For M/s.Arul Vadivel @ Sekar Associates for R1.
Mr.R.Alagumani for R4

W.P.(MD)No.4822 of 2017:-

Parameswaran

... Petitioner

Vs.

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

2.The Secretary to to Government,
Home Department,
Fort.St.George,
Chennai.



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3.The Superintendent of Police,
Kanniyakumari District,
Kanniyakumari.

4.A.Rameshkumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records in SHRC Case No.2672 of 2014 order dated 28.06.2016 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.M.Alaguraja

For Respondents : Mr.T.Amjadkhan,
Government Advocate for R2.
Mr.K.Gnanasekaran,
Govt. Advocate (Crl. Side) for R3.
Mr.Pozhilan,
For M/s.Arul Vadivel @ Sekar Associates for R1.
Mr.R.Alagumani for R4

COMMON ORDER
(By G.R.SWAMINATHAN, J.)

The order dated 28.01.2016 passed by the State Human Rights Commission, Tamil Nadu in SHRC Nos.2672 and 2703 of 2014 is under challenge. The complainant is one A.Rameshkumar. He was implicated as the sixth accused in Crime No.322 of 2014 registered on the file of



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Kottar Police Station, Kanyakumari District. The State Human Rights

Commission had allowed the complaint in the following terms:-

“34.In the result, this Commission makes the following recommendation:

RECOMMENDATIONS

a. The Government of Tamil Nadu shall make a payment of Rs.3,00,000/- (Rupees three lakhs only) to PW1 within eight weeks from the date of receipt of this order towards compensation for violation of human rights of them committed by the respondents

b. After making such payment, the Government of Tamil Nadu may recover a sum of Rs.50.000/ (Rupees fifty thousand only) from the 1st Respondent Thiru. Mohana Iyer, the then Sub Inspector of Police, Kottar Police Station, Kanyakumari District on 09.04.2014, a sum of Rs.50,000/- (Rupees fifty thousand only) from the 2nd Respondent Thiru Parameswaran, the then Sub Inspector of Police, Kottar Police Station, Kanniyakumar District on 09.04.2014, a sum of Rs.50,000/- (Rupees fifty thousand only) from the 4th Respondent Thiru. Johnos, the then Sub Inspector of Police, Kottar Police Station, Kanniyakumari District on 09.04.2014, a sum of Rs.50.000/- (Rupees fifty thousand only) from the 5th Respondent Thiru Sankar Kannan, the then Inspector of Police, Kottar Police Station, Kanniyakumari District on 09.04.2014 and a sum of Rs.50,000/- (Rupees fifty



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thousand only) from the 6th Respondent Dr. Angel Maria Mary, Medical Officer Acharypallam Government Hospital, Kannayakumar District, on 10.04.2014. Since the 3rd Respondent Thiru Balakrishnan, the then Sub Inspector of Police, Kottar Police Station, Kanniyakumari District died during the course of the trial, it is directed that the Government of Tamil Nadu may pay the said sum of Rs 50,000/-(Rupees fifty thousand only) on his behalf to PW1.

c. The Government of Tamil Nadu, may also initiate departmental action against the respondents 1, 2, 4 and 5. Thiru. Mohana lyer then Sub Inspector of Police, Kottar Police Station, Kanniyakumari District, Thiru Parameswaran, then Special Sub Inspector of Police, Kottar Police Station, Kanniyakumari District, Thiru. Johnos, then Special Sub Inspector of Police, Kottar Police Station, Kanniyakumari District and Thiru. Sankar Kannan, then Inspector of Police, Kottar Police Station, Kanniyakumari District, for their grave misconduct and lapses.”

2.Sankar Kannan, Inspector of Police, Kottar Police Station registered the aforesaid FIR on 10.04.2014 at about 05.00 am. The allegation of Rameshkumar was that he and other accused were illegally detained in the afternoon of 09.04.2014 and brutally beaten up.



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3.The question that calls for consideration is whether the State Human Rights Commission was justified in issuing the aforesaid adverse recommendations against the writ petitioners herein.

4.Vide order dated 16.02.2026 in W.P.(MD)No.5414 of 2017, we have set aside the order of the State Human Rights Commission insofar as the sixth respondent in the complaint / Dr.Angel Maria Mary is concerned.

5.As regards, Thiru.Sankar Kannan / writ petitioner in W.P.(MD)No.3294 of 2017, we notice that except registering the FIR, he has not been accused of having violated the human right of the complainant. We are therefore inclined to set aside the impugned order of the State Human Rights Commission insofar as Sankar Kannan is concerned. W.P.(MD)No.3294 of 2017 is allowed accordingly.

6.It is seen that Crime No.322 of 2014 was registered only under Section 399 IPC. The complainant / Rameshkumar filed



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Crl.O.P.(MD)Nos.21671 of 2016 and the said FIR was quashed by this Court vide order dated 14.10.2020. This Court had rendered a specific finding that the FIR was a concocted case and an outcome of personal vengeance. The fact remains that the complainant is a central government employee. He was arrested and had to spent a few days in jail. Only on account of the intervention by this Court under Section 482 of Criminal Procedure Code, the case against him got quashed. False implication of a citizen in a criminal case is definitely a breach of one's dignity. Human rights has been defined as a right pertaining to life, liberty, equality and dignity guaranteed by the Constitution. In this case, the complainant's liberty as well as dignity have been seriously jeopardized. The records also indicate that he was badly beaten. The entries made in the jail admission register bear this out.

7.Even according to the FIR, the complainant was picked up after midnight. But he was produced before the jurisdictional Magistrate only at 02.20 pm. There was no need to cause twelve hour delay in producing the accused for remand. The Constitution as well as Criminal Procedure Code expects that once an accused is arrested, he should be



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produced before the Magistrate as early as possible and with least delay.

In these circumstances, the State Human Rights Commission rightly awarded compensation of Rs.3,00,000/- to be paid to the complainant.

We do not propose to interfere with the said quantum. The Commission had directed that a sum of Rs.50,000/- is to be deducted from each of the respondents in the complaint. Since we have quashed the impugned report insofar as Sankar Kannan, Inspector of Police and Dr. Angel Maria Mary and one of the respondents namely Balakrishnan, Sub Inspector of Police passed away, the remaining three writ petitioners namely, Mohana Iyer, Parameswaran and Johnos will have to bear the burden of paying Rs.1,00,000/- each. Since the accused have already obtained relief and more than twelve years have passed by, we are of the view that the writ petitioners can be spared the further agony of departmental proceedings. However, they will have to pay an additional sum of Rs.50,000/- each.

The learned counsel appearing for the writ petitioners is agreeable for the same. Thus, the quantum of compensation payable to the complainant / Rameshkumar is enhanced from Rs.3,00,000/- to Rs.4,50,000/-. Mohana Iyer, Parameswaran and Johnos shall pay a sum of Rs.1,50,000/- each to the complainant within a period of eight weeks from the date of receipt



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of a copy of this order. Since we are directing the writ petitioners to pay the compensation amount directly to the complainant, the question of Government of Tamil Nadu making any payment does not arise at all. Considering the special circumstances, the direction for initiating departmental proceeding is set aside.

8.W.P.(MD)No.20179 of 2016, W.P.(MD)Nos.4819 and 4822 of 2017 are partly allowed and W.P.(MD)No.3294 of 2017 is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

**(G.R.S. J.) & (R.K.M. J.)
16.02.2026**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

- 1.The Secretary to Government,
Home Department,
Fort.St.George,
Chennai.
- 2.The Superintendent of Police,
Kanniyakumari District,
Kanniyakumari.

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G.R.SWAMINATHAN, J.
and
R.KALAIMATHI, J.

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and
W.P.(MD)Nos.3294, 4819 and 4822 of 2017

16.02.2026
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