



W.P.No.14267 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 09.02.2026

Pronounced on : .02.2026

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CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH
and

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.14267 of 2021

and

W.M.P.No.15178 of 2021

Mrs.Magitha Anna Christy

... Petitioner(s)

Vs.

1. The State Human Rights Commission, Tamil Nadu,
143 – P.S.Kumarasamy Raja Salai, Greenways Road,
Chennai – 600 028.

2. Mrs.S.Thamaraiselvi

... Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari, calling for the records in S.H.R.C.No.11153/2018 dated 19.04.2021 on the file of the first respondent and to quash the same.

For Petitioner(s)

: Ms.P.Keerthana
for M/s.Murali Law Firm

For R1

: Mr.J.Baranidharan

For R2

: No appearance



ORDER

(Order of the Court was made by **MUMMINENI SUDHEER KUMAR, J.**)

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2. The brief facts that are relevant for disposal of this writ petition are as under:-

2.1. The Respondent No.2 herein, lodged a complaint before the respondent commission alleging abuse of power and brutal assault on her by the petitioner herein, who was then working as 'Sub-Inspector of Police, Guduvancherry Police Station, Kanchipuram District', and complaining violation of human rights. The said complaint was taken on record by the respondent commission as S.H.R.C.No.11153/2018 dated 19.04.2021 and the petitioner herein was put on notice. On receipt of notice, the petitioner herein got entered appearance on her behalf through counsel, but inspite of affording several opportunities, failed to file any reply/ counter. Hence, the respondent commission proceed further, requiring the parties to file proof affidavits. Accordingly, the Respondent No.2 filed her proof affidavit and got marked



Ex.P1 to Ex.P7. Even at that stage, inspite of granting several opportunities, the petitioner herein, who was the respondent in the complaint before the respondent commission, failed to adduce either oral or documentary evidence.

Hence, the respondent commission proceeded to consider the complaint on its own merits, based on the material available on record.

2.2. The respondent commission, after having examined the material on record, especially Ex.P5, the letter issued by the Medical Officer of the Prison Hospital, Special Prison for Women dated 21.12.2018, and the photograph marked as Ex.P6, showing the injuries suffered by the Respondent No.2 on her both knees, swelling in her left hand, right leg toe and fingers etc., observed that the injuries suffered by the Respondent No.2 herein have not been truly recorded by the Prison Doctors. The respondent commission, having taken note of the severe injuries suffered by the Respondent No.2 and taking into consideration the nature of the allegations made by the Respondent No.2 against the petitioner herein, especially in the absence of any counter filed by the petitioner herein, proceeded to accept the allegations made by the Respondent No.2 against the petitioner herein and concluded that the Respondent No.2 was assaulted by the petitioner herein with hands and lathi at the Police Station apart from snatching the valuables and cash of the



Respondent No.2 in a hasty manner. The relevant observations of the

Respondent No.1/ Commission are as under:-

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“12. Further, all the allegations of the complainant are supported by medical evidence and photographs, which substantiates the authenticity of the complaint. The duty of the Respondent as a police official is only to arrest a person, if he/she is accused of any offence and proceed according to law. There is no need for a person to be assaulted by the police. It should be kept in mind, here that women Police personnel were appointed in the disciplined force, only to make it friendly and easily approachable by the general public especially by women, but the happenings reported here are against the very purpose of creation of such a police force. In fact, it appears that the Women Police surpass and exceed their male counter parts in violations in some instances.

13. The above analysis would lead this Commission, to accept the version of the complainant undoubtedly and wholly that the complainant was assaulted by hands and lathi at the police station by the Respondent, apart from snatching her valuables and cash, acting hastily on a complaint, which was not even investigated, and without giving an opportunity for the accused recourse to legal aide, sending her to prison. The above actions have caused grievous violations of a persons Right to safety and dignity, and has caused her immense mental agony and disrepute among her relatives and friends. As such point No.1 is decided in favour of the complainant.”



3. The respondent commission, having arrived at the above conclusion, proceeded to award compensation of Rs.5,00,000/- besides recommending severe disciplinary action against the petitioner herein. The respondent commission has also taken note of the fact that the petitioner herein, being a responsible officer in the disciplined force, failed to file her counter and also failed to produce the relevant records such as Remand Report etc., inspite of the specific direction issued by the respondent commission.

4. Though the learned counsel for the petitioner tried to persuade us to interfere with the impugned order on the ground that the Respondent No.2 herein agreed to withdraw the complaint subject to payment of Rs.3,50,000/- during the course of her examination and thereby contending that the complaint is intended only to extract money from the petitioner, we are unable to agree with the said contention for the simple reason that the serious allegation of assault and abuse of power levelled against the petitioner herein in the complaint made before the respondent commission remained uncontroverted, thereby suggesting tacit admission on the part of the petitioner herein. Having failed to file counter before the respondent commission, inspite of service of notice and affording number of



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opportunities, it is not open for the petitioner herein to find fault with the conclusions arrived at by the respondent commission.

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5. By noticing the conduct of the petitioner herein in the light of serious allegations made against her, coupled with the arrogance of the petitioner herein in not filing counter before the respondent commission, and her failure to produce the relevant records despite direction by the respondent commission, in our considered view, the petitioner is not entitled for any indulgence of this court, especially while exercising its certiorari jurisdiction under Article 226 of the Constitution of India. Thus, we are of the considered view that this is not a fit case where extraordinary jurisdiction of this court can be allowed to be invoked.

6. Accordingly, the writ petition is dismissed. No costs. Connected miscellaneous petitions, if any, shall stand closed.

(Dr.A.S.M.,J.) (M.S.K.,J.)
.02.2026

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

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Dr.ANITA SUMANTH, J.
and
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Pre-Delivery Order made in
W.P.No.14267 of 2021

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