



WMP No.52397 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 27.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.M.P No.52397 of 2025
in Review Application No.289 of 2025

B.Kumar

..... Petitioner

Vs

1.D.Jayaprakash Narayanan

2.The State of Tamil Nadu
Principal Secretary to Government
Home (Police-HR) Department
Secretariat, Fort St.George
Chennai-600 009.

3.The Director General of Police
Dr.Radhakrishnan Salai
Mylapore, Chennai-600 004.

..... Respondents

PRAYER: This writ miscellaneous petition is filed to stay the operation of order dated 28.10.2025 made in W.P No.21946 of 2023 pending disposal of the review petition.



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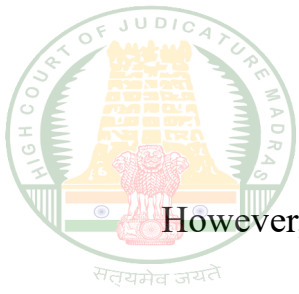


WMP No.52397 of 2025

For Petitioner : Mr.B.Vijay

ORDER

The learned counsel for the petitioner submitted that the 1st respondent is a Civil Engineer, presently working as Engineer Grade-III at Vandavasi Municipality. He claimed that he was brutally attacked by a few police personnel and subsequently remanded to judicial custody. Aggrieved by their actions, the 1st respondent filed a complaint before the State Human Rights Commission (SHRC), which was taken on file as SHRC Case No.11609 of 2008. After the completion of the trial, the SHRC, by its order dated 16.09.2019, directed the State Government to initiate disciplinary action and criminal prosecution against the erring police officials, and to pay compensation of Rs. 5 lakhs. For implementation of the said recommendation, the State Government issued G.O.(D) No.289, Home Department, dated 13.03.2023.



WMP No.52397 of 2025

However, the same was not implemented. In order to enforce the

recommendation made by the SHRC, the 1st respondent filed the present writ petition. As per the order of the SHRC, only the present G.O. was implemented.

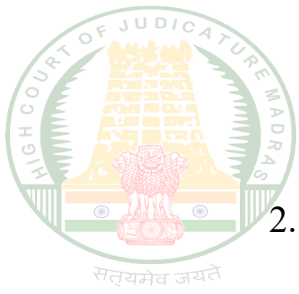
The writ petitioner has projected before this Court as though the recommendation of the SHRC for initiation of criminal prosecution has not been complied with by the State Government. Consequently, this Court passed an order, directing registration of a criminal case. The petitioner and other police personnel were not impleaded as parties to the writ petition, and therefore they were unable to place the correct particulars before this Court. This resulted in a direction being issued to the respondents to register a criminal case and initiate disciplinary action. Pursuant to the order of this Court, the 2nd and 3rd respondents are taking steps to register a criminal case against the petitioner.

The petitioner is presently serving as Inspector of Police, CBCID, SIT, Trichy.

If the impugned direction of this Court to register a criminal case is not reviewed, it would cause irreparable injury and hardship to the petitioner.

Hence, he prays for an order of interim stay till the disposal of the review application.

Page 3 of 5



WMP No.52397 of 2025

2. Considering the prima facie case made out by the learned counsel for

the petitioner, there shall be a direction to the 2nd and 3rd respondents not to take any coercive steps as against the petitioner till the disposal of the review application.

3. Notice to the 1st respondent returnable in two weeks. Private notice is also permitted.

4. Post the matter after two weeks.

27.11.2025

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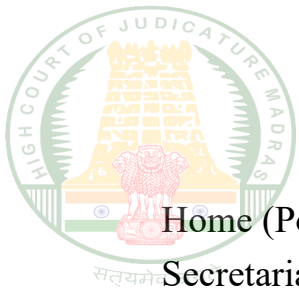
M.DHANDAPANI, J.

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To

1. The Principal Secretary to Government

Page 4 of 5



WMP No.52397 of 2025

Home (Police-HR) Department

Secretariat, Fort St.George

Chennai-600 009.

2.The Director General of Police

Dr.Radhakrishnan Salai

Mylapore, Chennai-600 004.

W.M.P No.52397 of 2025in

Rev.Appln.No.289 of 2025

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