



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Special Original Jurisdiction )

Thursday, the Twentieth day of October Two Thousand Sixteen  
PRESENT

**The Hon`ble Mr.Justice M.SATHYANARAYANAN**  
and

**The Hon`ble Mrs.Justice J.NISHA BANU**  
WP(MD) No.20179 of 2016

WEB COPY

MOHANA IYER

... 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 GOVERNMENT  
HOME DEPARTMENT, FORT.ST.GEORGE, CHENNAI

3 THE SUPERINTENDENT OF POLICE  
KANNIYAKUMARI DISTRICT, KANNIYAKUMARI

4 A.RAMESHKUMAR  
S/O.ABRAHAM, PANTHAL VILAI, BEHIND ANNA BUS  
STAND MEENAKSHIPURAM, NAGERCOIL DIST

... RESPONDENTS

**Prayer :** Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased 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 petition is concerned.

**Prayer in WMP(MD). 14471/ 2016 :** To injunction restraining the 3rd respondent from recover a sum of Rs.50,000/- from pay and allowance of the ach petitioners pursuant to the order of the 1st respondent in SHRC Case No.2672 of 2014 order dated 28.06.2016 till the disposal of the above WP.

**ORDER :** This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.G.KARUPPASAMY PANDIYAN, Advocate for the petitioner the court made the following order:-

[Order of the Court was made by **M.SATHYANARAYANAN, J.**]

The learned counsel for the petitioner would submit that absence of any relevant and tenable documents, State Human Rights Commission has erroneously come to the conclusion as to the alleged illegal torture and custody. Therefore, prays for interim orders otherwise the petitioner may be put to grave hardship and difficulty.



2. This Court heard the submission of the learned counsel appearing for the petitioner and on going through typed set of papers.

3. This Court is of the view that prima facie case has been made out for grant of interim injunction. There shall be an order of interim injunction subject to the condition that the petitioner without prejudice to his rights and contentions, shall deposit a sum of Rs.50,000/- to the credit of this writ petition in Indian Bank, Madurai Bench of Madras High Court Branch on or before 14.12.2016, failing which, interim order shall stand vacated automatically without reference to this Court.

sd/-

20/10/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.3)

TO

- 1 THE STATE HUMAN RIGHTS  
COMMISSION TAMILNADU, THIRUVARANGAM, NO.143,  
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CHENNAI 600 028
- 2 THE SECRETARY TO GOVERNMENT  
HOME DEPARTMENT, FORT.ST.GEORGE, CHENNAI
- 3 THE SUPERINTENDENT OF POLICE  
KANNIYAKUMARI DISTRICT, KANNIYAKUMARI
- 4 THE BRANCH MANAGER  
INDIAN BANK, HIGH COURT BRANCH, MADURAI  
BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.G.KARUPPASAMY PANDIYAN Advocate SR.No.62057

ORDER

IN

WP(MD) No.20179 of 2016

Date :20/10/2016

ANR/EM-MPA/02.11.2016/2P/6C