



W.P(MD)Nos.19752, 25574, 26401 and 28801 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2026

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
and
THE HONOURABLE MR.JUSTICE N.DILIP KUMAR**

**W.P(MD)Nos.19752, 25574, 26401 and 28801 of 2022
and
WMP (MD) Nos.22776, 14417, 22775, 20584 and 19658 of 2022**

W.P(MD)Nos.19752 of 2022

Arun

... Petitioner

VS.

1. The Secretary to the Government of Tamil Nadu,
Home Department,
Secretariat, Chennai - 9.

2. The State Human Rights Commission Tamil Nadu,
Thiruvarangam,
No.143, P.S. Kumarasamy Raja Salai,
Chennai - 28.

3. Tyson @ Pani Tyson Raja

... Respondents

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W.P(MD)Nos.19752, 25574, 26401 and 28801 of 2022

WEB PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records of the impugned order passed by the 2nd respondent herein in his proceedings in SHRC Case No.880/2019 dated 20.07.2022 and quash the same.

For Petitioner : Mr. R. Murugan

For Respondents : Mr.M.Mahaboob Athiff (R1)
Special Government Pleader
: Mr.F.Deepak (R2)
: No appearance for R3

W.P(MD)Nos.25574 of 2022

T.Kalaiarasan

... Petitioner

VS.

1. The State of Tamil Nadu,
Rep by its Secretary, Home Department,
Secretariat, Chennai-600 009.

2. The Additional Chief Secretary,
Environment, Climate Change and Forest Department,
Secretariat,
Chennai-600 009.

3. The State Human Rights Commi,
ssion of Tamil Nadu,
Rep by its Registrar (Law),
No. 143, P.S.Kumarasamy Raja Salai,

2/15



W.P(MD)Nos.19752, 25574, 26401 and 28801 of 2022

Chennai-600 028.

4. Tyson @ Pani Tyson Raja

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records on the file of the 3rd respondent in connection with the impugned order of compensation passed by him vide his proceedings in SHRC Case No. 880/2019 dated 20.07.2022 and consequential impugned order of recovery passed by the 2nd respondent vide his proceedings in G.O.(D) No.216 Environment, Climate Change and Forest (FR-I) Department dated 19.09.2022 and quash the both as illegal and arbitrary.

For Petitioner : Mr. G.Thalaimutharasu

For Respondents : Mr.G.Mohan Kumar (R1 & R2)
Additional Government Pleader
: Mr.F.Deepak (R3)
: No appearance for R4

W.P(MD)Nos.26401 of 2022

Shanavaskhan

... Petitioner

vs.

1. The Additional Chief Secretary,
Environment, Climate Change and Forest Department,
Secretariat,
Chennai-600 009.

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2. The State Human Rights Commission of Tamil Nadu,
Rep by its Registrar (Law),
No. 143, P.S.Kumarasamy Raja Salai,
Chennai-600 028.

3. Tyson @ Pani Tyson Raja

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records pertaining to the order of the 2nd respondent in SHRC case No. 880 of 2019 dated 20.07.2022 and the Government of Tamil Nadu issued a G.O.No. 216/ECCF (FR-1) Department dated 19.09.2022 of the 1st respondent and quash the same.

For Petitioner : Mr.J. Anandkumar

For Respondents : Mr.G.Mohan Kumar (R1 & R2)
Additional Government Pleader
: Mr.F.Deepak (R3)
: No appearance for R4

W.P(MD)Nos.28801 of 2022

T.Silvester

... Petitioner

VS.

1. The State of Tamil Nadu,
Rep by its Secretary, Home Department,

4/15



W.P(MD)Nos.19752, 25574, 26401 and 28801 of 2022

WEB COPY Secretariat, Chennai-600 009.

2. The State Human Rights Commission Tamil Nadu,
Thiruvarangam,
No.143, P.S. Kumarasamy Raja Salai,
Chennai - 28.

3. Tyson @ Pani Tyson Raja ... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records pertaining to the order of the 2nd respondent in SHRC case No. 880 of 2019 dated 20.07.2022 and the Government of Tamil Nadu issued a G.O.No. 216/ECCF (FR-1) Department dated 19.09.2022 of the 1st respondent and quash the same.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.G.Mohan Kumar (R1)
Additional Government Pleader
: Mr.F.Deepak (R2)
: No appearance for R4

COMMON ORDER

(Order of the Court was made by **M.DHANDAPANI, J.**)

Aggrieved by the common order dated 20.07.2022 passed by the State Human Rights Commission, these writ petitions have been filed.



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2. The petitioners are Forest Officials working in different cadres of the Forest Department. They were proceeded against before the State Human Rights Commission on the allegation that they had violated the human rights of the complainant. The State Human Rights Commission, upon adjudication, directed payment of compensation. Challenging the said order passed by the State Human Rights Commission, the present writ petitions have been filed.

3. Since the challenge in all these writ petitions arises out of the common order passed by the State Human Rights Commission, they are disposed of by this common order.

4. For the sake of brevity, the parties are hereinafter referred to as the “Forest Officials”, “Complainant” and “Human Rights Commission”, respectively.

5. The complainant claims to be a businessman and a merchant owning a shop. He also claims to be involved in social work and to be well known among the tribal people, among whom he undertakes social welfare



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activities. The further case of the complainant is that the Inspector of Police, Naxal Eradication Division, requested him to conduct celebrations during the Pongal festival in a tribal village, with a view to creating awareness among the tribals about the movement and activities of Naxalites in the forest area. Based on the request made by the Inspector of Police, the complainant and other volunteers planned to celebrate the Pongal festival at Thachamalai, Pechiparai, on 12.01.2019. According to the complainant, he, along with his team members, reached the Pechiparai zero point in a vehicle arranged by the Inspector of Police. They carried provisions, their personal clothes and other articles required for celebrating Pongal with the tribal people of Thachamalai. It is his further case that they did not carry any prohibited articles in the vehicle. It is alleged that, at the zero point, the petitioners, who are Forest Officials, intercepted the complainant and his team members and enquired about the purpose of their visit. They were informed that no person would be permitted to proceed beyond the said point after 6.00 p.m. The complainant claims that he informed the Forest Officials that the Inspector of Police, Naxal Eradication Division, had granted permission to conduct the Pongal celebrations in the tribal village and that he had also spoken to the Inspector of Police over the telephone. He further claims that they were



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ready to return. It is further alleged that one of the Forest Guards, who was on duty at the Forest Department check-post, was talking on his mobile phone and thereafter asked them to come inside, but prevented them from proceeding further. The complainant alleges that the Forest Officials prevented the movement of the complainant and his team members.

6. It is the further case of the complainant that the Forest Range Officer, who already knew the complainant, verbally abused the complainant and his team members and directed the Forest Guard to inspect the vehicle. According to the complainant, even after finding that the articles carried by them were not prohibited, the Forest Officials took the vehicle to the Forest Range Office near Kulasekaram and treated them as suspects. The complainant further alleges that, thereafter, the Inspector of Police reached the Forest Range Office and informed the Forest Officials that the complainant and his team members had entered the forest area for creating awareness among the tribal people. He also requested the Forest Officials to release them. However, it is alleged that one Kennedy, a Forest Official continued to detain the complainant and his team members at the Forest Range Office without providing them food or other basic necessities, as a result



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of which they had to spend the entire night there. It is further alleged that the Inspector of Police thereafter reached the place and sought the release of the complainant and the other three members of his team. According to the complainant, though no case was initially registered, subsequently a forest offence case was registered against the complainant and the other team members. Alleging violation of his human rights by the Forest Officials, the complainant preferred a complaint before the State Human Rights Commission. Upon adjudication, the State Human Rights Commission imposed compensation against the petitioners. Challenging the said order, the present writ petitions have been filed.

7. The learned counsel appearing for the petitioners would submit that admittedly the petitioners are Forest Officials working in the Kulasekaram Forest Range. Any person seeking to enter the forest area after 6.00 p.m. is required to obtain prior permission and even during the daytime, permission is necessary for entering the reserve forest area. It is submitted that the Kulasekaram Forest Range forms part of a tiger reserve forest and therefore, a duty is cast upon the petitioners to protect human life as well as the forest area.



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8. The learned counsel would further submit that the complainant had entered the reserve forest area without obtaining prior permission from the Forest Department and that such entry constitutes a forest offence. The complainant, having admitted his guilt, paid a penalty of Rs.10,000/- to the Forest Department. Thereafter, Forest Crime No.1 of 2019 was registered by the petitioners against the complainant. It is therefore submitted that, once the complainant had admitted that he entered the reserve forest area without prior permission and had paid the penalty, the very action of the Forest Officials in preventing such unauthorised entry cannot subsequently be adjudicated upon by the State Human Rights Commission. According to the learned counsel, the petitioners, being Forest Officials, had only discharged their statutory duties vigilantly by preventing persons from entering the reserve forest area after 6.00 p.m. and such official action cannot be made the subject matter of proceedings before the Human Rights Commission.

9. The learned counsel would further submit that the Inspector of

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Police, Naxal Eradication Division, had entered the forest area and forcibly released the complainant and the other three members of his team and had taken away the vehicle involved in the forest offence. It is submitted that, thereafter, the Forest Department registered a criminal case, viz., Crime No.2 of 2019, for the alleged forest offence, which is pending before the competent Special Court dealing with forest offences. The learned counsel would therefore submit that, when the criminal proceedings arising out of the alleged forest offence are pending adjudication, there was no justification for the State Human Rights Commission to arrive at a conclusion against the petitioners and impose compensation, particularly when the petitioners had acted in discharge of their official duties. Hence, he would pray for allowing the writ petitions.

10. Though the name of the complainant is printed in the cause list, there is no appearance on his behalf.

11. The learned counsel appearing for the State Human Rights Commission would submit that, admittedly, the complainant entered the reserve forest area after 6.00 p.m. with the permission of the Inspector of Police, Naxal



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Eradication Division. Though the Inspector of Naxal Eradication Division has no power to grant permission to enter the reserve forest area after 6.00 p.m., the Forest Officials, in coordination with the said Department, ought to have handled the matter peacefully and in good manner. It is further submitted that, instead of releasing the complainant immediately after the incident, the Forest Officials detained him and the other members for the whole night without providing food and other basic necessities, which amounts to a violation of human rights. Therefore, the State Human Rights Commission imposed compensation and the same does not warrant interference by this Court.

12. We have considered the submissions made by the learned counsel appearing for the petitioners and the learned counsel appearing for the State Human Rights Commission and perused the materials available on record.

13. The admitted facts disclose that the complainant had entered the reserve forest area after 6.00 p.m. without obtaining prior permission from the Forest Department. The petitioners, being Forest Officials entrusted with the duty of protecting the reserve forest area, were justified in preventing such



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unauthorised entry. The complainant had also admitted the forest offence and paid the penalty imposed by the Forest Department. In such circumstances, the action of the petitioners in intercepting the complainant and his team members and preventing them from proceeding further cannot, by itself, be construed as a violation of human rights. Though there is an allegation that the complainant and his team members were detained at the Forest Range Office during the night, the materials placed before this Court do not establish that the petitioners had acted with any intention to violate the human rights of the complainant. On the contrary, the circumstances indicate that the petitioners had acted in discharge of their statutory duties to prevent unauthorised entry into the reserve forest area. The subsequent registration of the forest offence case also lends support to the stand taken by the petitioners.

14. In the light of the above facts and circumstances, we are of the considered view that the State Human Rights Commission was not justified in holding that the petitioners had violated the human rights of the complainant and in directing payment of compensation. The impugned order passed by the State Human Rights Commission, therefore, warrants interference by this Court.



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15. Accordingly, the impugned order passed by the State Human Rights Commission is set aside and the writ petitions are allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

[M.D.I.,J.] & [N.D.K.,J.]
01.09.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN

To

1. The Secretary to the Government of Tamil Nadu,
Home Department,
Secretariat, Chennai – 9.

2. The Additional Chief Secretary,
Environment, Climate Change and Forest Department,
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2. The State Human Rights Commission Tamil Nadu,
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M.DHANDAPANI, J.
and
N.DILIP KUMAR, J.

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