

[2025 LiveLaw \(SC\) 562](#)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
ABHAY S.OKA J.,UJJAL BHUYAN;J.
CIVIL APPEAL NO.6358 OF 2025; 30-04-2025
(Arising out of S.L.P.(Civil) No.20028 of 2022)

PAVUL YESU DHASAN

versus

THE REGISTRAR, STATE HUMAN RIGHTS COMMISSION OF TAMIL NADU & ORS.

Constitution of India, Article 21 - Human Rights Act, 1993; Section 2(1)(d) - Dignity - FIR Registration - Police Misconduct - Compensation - Every citizen approaching a police station to report a crime is entitled to be treated with dignity. The Supreme Court upheld the State Human Rights Commission's order directing the government to pay ₹2 lakh as compensation, recoverable from a police inspector who refused to register an FIR and used derogatory language against the complainant's mother. The inspector's actions, including failure to register the FIR and use of objectionable language, were held to violate human rights under Section 2(1)(d). The High Court's order affirming the SHRC's decision was upheld, and the petition was dismissed. (Para 6 - 8)

Petitioner: Ram Sankar & Co

Respondent. Shase, Sabarish Subramanian

ORDER

ABHAY S.OKA, J.

Leave granted.

2. Heard the learned counsel appearing for the appellant.
3. The State Human Rights Commission, Tamil Nadu passed an order directing the Additional Chief Secretary of the Government, Home, Prohibition and Excise Department, Secretariat, Chennai to pay compensation of Rs.2,00,000/- (Rupees two lakhs) to the third respondent-complainant. Liberty was granted to the Additional Chief Secretary to recover the said amount from the present appellant who was the Inspector of Police attached to Srivilliputhur Town Police Station (Crime) Virthunagar District, Tamil Nadu. After holding an inquiry, the State Human Rights Commission found not only that the appellant refused to register a First Information Report (for short, "FIR") but used filthy language while talking to the respondent's mother.
4. The submission of the learned counsel appearing for the appellant is that assuming that the appellant declined to register FIR, it will not amount to violation of human rights. He invited our attention to the definition of "human rights" under Section 2 (d) of the Human Rights Act, 1993 (for short, "the Act"). The submission is that there is no violation of human rights in this case.
5. Clause (d) of Section 2 of the Act reads thus:
"(d) "human rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India;
6. The facts of this case, to say the least, are shocking. The third respondent visited the Police Station for lodging a complaint along with his parents. The complaint was

handed over to a Sub-Inspector of Police who stated that since the transaction has taken place at three different places, he cannot accept the same and he could receive the same only after the Inspector of Police looks at it. He stated that the Inspector was not likely to come to the Police Station on that day. Therefore, he gave a cell phone number of the Inspector to the respondent. The third respondent's mother on the same day tried to contact the present appellant who was the Inspector of Police. After talking to the third respondent's mother, the appellant cut off the phone call. Therefore, as per the instructions received, the third respondent with his parents again visited the Police Station at 5.00 p.m. They were asked to wait till arrival of the appellant who was the Inspector of Police. Ultimately, he arrived at 8.30 p.m. Very objectionable language was used by the appellant while talking to the third respondent's mother which is noted in paragraph (4) of the impugned judgment of the State Human Rights Commission.

7. All that the third respondent wanted is registration of FIR based on his complaint. Though law is well settled, the Sub-Inspector did not register the crime. The appellant being a senior officer ought to have immediately registered the FIR. However, not only he refused to do it but used very objectionable language, while talking to the third respondent's mother.

8. Under clause (d) of Section 2 of the Act, "human rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution. All that the third respondent and his parents wanted was registration of the FIR. Every citizen of India who goes to a Police Station to report commission of an offence deserves to be treated with human dignity. That is his fundamental right under Article 21 of the Constitution of India. A citizen who wants to report commission of an offence, should not be treated like a criminal.

9. Therefore, looking to the conduct of the appellant, it was rightly found by the Commission and by the High Court that there was a violation of human rights on the part of the appellant. Therefore, no interference is called for with the impugned judgment and order. The appeal is accordingly dismissed.