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Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2026

Case QR

CORAM

THE HON'BLE MR. JUSTICE V. LAKSHMINARAYANAN

WP Crl. No.3183 of 2026
and WPMP Crl No.1163 of 2026

CNR: {HCMA012817382026}

R.Thrishuli
D/o R.Anand ..Petitioner

Vs

1. The Secretary,
   Department of Personal and Training (DOPT),
   Ministry of Personnel, Public Grievances and
   Pensions,
   Government of India,
   Kartavya Bhavan-03,
   Central Secretariat,
   Kartavya Path,
   New Delhi-110 001.

2. The Chief Secretary,
   State of Tamil Nadu,
   Fort St.George,
   Chennai-600 009.

3. The Principal Secretary to Government,
   Home, Prohibition and Excise Department,
   Fort St.George,
   Chennai-600 009.

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

5. The Superintendent of Police,
   District Police Office,
   Kallakurichi,
   Kallkurichi District.

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6. C.Arul Vignesh
(MLA Kallakurichi Constituency)
S/o Chinnayya,
No.4/A, Kachirapalayam Road,
Kallakurichi-606 202.

7. XXXX

(R7 *Suo Motu* impleaded vide order of this Court dated 24/11/2026 in WP.Crl.No.3183 of 2026)

..Respondents

For Petitioner : Mr.S.Jeyakumar
Assisted by Mr.S.Tamilselvan

For Respondents : Mr.R.John Sathyan
Assisted by Mr.Arun Anbumani,
Additional Public Prosecutor for R1 to R5
Mr.D.Nagasaila for R7

ORDER

XXXX being the alleged victim, is *Suo Motto* impleaded as the seventh respondent to the writ petition. The Registry shall amend the cause title.

2. Pursuant to the directions given by this Court on 23.11.2026, Mr.R.John Sathyam, State Public Prosecutor has got in touch with the Chief Secretary for the State of Tamil Nadu as well as with the seventh respondent. The transcript of their conversation has been placed before this Court. The learned Public Prosecutor reports that the seventh respondent lodged a formal complaint with the respondents yesterday at about 03.00 p.m. AWPS, Kallakurichi has also registered the same as FIR No.XXXX. He further states

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that immediate steps have been taken to ensure that the FIR is not made available online. The prompt and immediate steps taken by the learned Public Prosecutor are appreciated.

3. Ms.D.Nagasaila brought to the notice of this Court not only the complaint lodged by the seventh respondent, but also the request that she has made to the second respondent. She states that the seventh respondent had forwarded the letter to the Chief Secretary via a special messenger. It would have reached him by this time. The learned Public Prosecutor assures this Court that insofar as the requests that have been made, those that have to be taken up on the administrative side and at a level higher than that, immediate action will be taken and reported to this court on 27.11.2026.

4. Under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal Act), 2013 (hereinafter referred to as the "PoSH Act") the District Collector is also the District Officer. Under Section 9, an aggrieved women would have to give a complaint about sexual harassment at the workplace, in writing, to the Internal Committee or to the Local Committee. The unique circumstance of this case is that the seventh respondent could not have lodged the complaint with the District Committee because she heads the same.

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5. The learned State Public Prosecutor as well as the Additional Public Prosecutor are not in a position to state whether a committee at the state level exists in Tamil Nadu. They shall get the necessary instructions and report to this Court. In the meantime, the second respondent shall ensure that an Internal Committee is constituted for the purpose of looking into the grievance that the seventh respondent has against the sixth respondent. The necessary notifications will be issued and informed to this Court by 27.11.2026.

6. It has been an age-old technique of shaming a women by revealing her identity. It is believed that such kind of revelations "will prevent the disclosure of any further misdemeanors". The Constitution, being alive to this situation, has incorporated special provisions for women and children.

7. Insofar as the PoSH Act is concerned, it came about through the intervention of the Supreme Court in the case of Vishaka and others V. State of Rajasthan and others, AIR 1997 SC 3011. Section 16 of the PoSH Act mandates that the identity and address of the aggrieved women, the respondent and witnesses as well as any information relating to conciliation, inquiry proceedings and recommendations of the Internal Committee or Local Committee be kept away from the public, press and media in any manner whatsoever. As the seventh respondent submitted a written request yesterday, the provisions of Section 16 automatically became operational. Furthermore,

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under Section 17, action would have to be initiated for disclosures prohibited by Section 16.

8. A reading of the complaint shows that the seventh respondent had kept away from lodging a complaint as she did not want unnecessary publicity on the issue. If this is the position at the level of the District Collector, I shudder to think what would happen in case invocation of PoSH Act arises for a person who is holding a lesser post. One of the most powerful posts in the service of the State is that of a Collector. It is a sad day for the republic that an occupant of such a post has to lodge a complaint under the PoSH Act. This shows that harassment does not choose time, place, monetary considerations or status or office that a woman occupies.

9. The press could have shown some sensitivity in a matter like this. That being lacking in this case, this Court has to interfere. Therefore, there shall be an order injuncting the press and media from publishing, communicating or making known to the public any of the matters covered under Section 16 of the PoSH Act.

10. Insofar as the social media posts are concerned, the Cyber Crime Department of Police shall ensure that whatever posts have been made so far regarding this issue are pulled down forthwith. In addition, the social media

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platforms and intermediaries shall ensure that no publications are made on the respective platforms until the Internal Complaints Committee (ICC) finally disposes of the matter and justice is secured to the victim. In the event, any publications are made and escapes attention, the police shall immediately bring it to the notice of the appropriate social media platform and have it removed.

11. Apart from that, prosecution must be initiated against persons who violate the terms and conditions of Section 16 of the PoSH Act. For the State to report further progress, call on 27.11.2026. In the meantime, the fifth respondent shall ensure that notice is served on the sixth respondent, intimating him that the matter will be taken up on 27.11.2026.

12. Insofar as the prosecution is concerned, as an FIR has already been lodged, the AWPS, Kallakurichi shall investigate into the compliant and take prompt and immediate steps in that regard. Since the accused in this case holds a high position and a Constitutional office, I deem it fit that the investigation as well as monitoring of the same should be at a level higher than that of the district level. Therefore, Mr.Shristi Singh, IPS, Superintendent of Police, Tiruppur shall be the investigating officer and Ms.N.Kamini, IPS, Inspector General of Police (Administration), Chennai shall monitor the same.

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13. Call the matter on **27.11.2026.**

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Note: Registry is directed to carry out necessary amendment.

To

1. The Secretary,
   Department of Personal and Training (DOPT),
   Ministry of Personnel, Public Grievances and Pensions,
   Government of India,
   Kartavya Bhavan-03,
   Central Secretariat,
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2. The Chief Secretary,
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   Dr.Radhakrishnan Salai,
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5. The Superintendent of Police,
   District Police Office,
   Kallakurichi.

6. The Public Prosecutor,
   High Court, Madras.

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V.LAKSHMINARAYANAN, J.

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