

"Can we kill people and throw money at them and say our job is over" asks Madras HC

Madurai/Chennai, Jun 25 (PTI) The Madras High Court on Friday made some strong remarks over the May 2018 police firing in Tuticorin, where 13 persons were killed during a violent anti-Sterlite agitation, asking "can we kill people and throw money at them and say our job is over. Is that the society that we want to build."

These were among the questions raised by Chief Justice Sanjib Banerjee, now sitting at the Madurai bench, when the PIL petition from Henri Tiphagne, an activist, on the matter, came up for hearing today.

The bench, whose other member being Justice T S Sivagnanam, directed the National Human Rights Commission (NHRC) to forward a copy of its "undisclosed" investigation report into the police firing.

"Is it possible to hush up the matter by just throwing money at the affected people," the CJ asked, apparently referring to the ex-gratia announced to the kin of victims killed in the violent protest seeking closure of the Vedanta copper smelter plant over pollution concerns.

"It is somewhat alarming that the State through its police fires at unarmed protestors and no one is booked even after three years. It may not augur well for a civil society governed by the constitutional principles that we have to merely throw money at the families of the victims and give closure to an incident of possible brutality and excessive police action," Chief Justice Banerjee added.

He, however, said no conclusion needs to be drawn yet before the facts come to light. But it is necessary the facts come to light and be made public, he said.

The bench was passing interim orders on the PIL from Tiphagne, the executive director of People's Watch, an NGO, praying for a direction to the State to reopen the case registered by the NHRC on the incident.

Appearing in person, Tiphagne, also an advocate, told the bench that while the NHRC had closed the case in October 2018, it was yet to disclose the report filed by its team which had conducted an investigation at the site.

The grounds for closing the case, taken up on its own, in its order was ill-advised and the case must be reopened, he said.

After considering the "adequate compensation" paid by the state to the victims, other appropriate steps taken to restore peace and normalcy by the government and the appointment of the judicial commission to look into police excesses, if any, the NHRC in its order passed in October 2018 held that "no further intervention in the matter is required".

The bench directed the NHRC to file its 2018 spot investigation report in the matter and clarify its stand on the issue through a counter affidavit in four weeks.

The matter was transferred to the principal seat in Chennai and it will be taken up for further hearing on August 9.

Earlier, Advocate-General R Shunmugasundaram told the bench that the Judicial Commission of Inquiry headed by former High Court Judge Aruna Jagadeesan had submitted its interim report to the government on May 14 this year.

Anti-Sterlite protests in Tuticorin in southern Tamil Nadu against Sterlite peaked on May 22, 2018 leading to violence that resulted in 13 deaths in police firing. PTI COR SA BN BALA BN BALA

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