

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Twenty Seventh day of November Two Thousand Fifteen

PRESENT

The Hon`ble Mr.Justice V.RAMASUBRAMANIAN

and

The Hon`ble Mr.Justice N.KIRUBAKARAN

WP(MD) No.20895 of 2015

CHANGEindia

REP. BY ITS DIRECTOR A.NARAYANAN,  
NO.7C,DAFFODIL,CEEEROS GARDENS, ARCOT ROAD,  
VIRUGAMBAKKAM, CHENNAI 600 092

... PETITIONER

Vs

1 THE PRINCIPAL SECRETARY  
DEPARTMENT OF SOCIAL WELFARE,  
GOVERNMENT OF TAMILNADU, SECRETARIAT,  
FORT.ST.GEORGE, CHENNAI 9

2 THE DEPUTY SUPERINTENDENT OF POLICE -CB CID,  
ANTI HUMAN TRAFFICKING CELL(ANTI VICE SQUAD),  
FIRST FLOOR, BLOCK-3,  
ELECTRONIC COMPLEX,SIDO  
INDUSTRIAL ESTATE,GUINDY,  
CHENNAI 32

3 THE DISTRICT COLLECTOR  
COLLECTORATE, COLLECTOR OFFICE ROAD,  
TRICHY 620 001

4 THE COMMISSIONER OF POLICE  
COMMERCIAL TAX BUILDING, RACE COURSE ROAD,  
KAJAMALAI, TRICHY 620 020

5 THE DISTRICT SOCIAL WELFARE OFFICER,  
COLLECTORATE BUILDING,  
TRICHIRAPPALLI DIST 620 001

6 THE CHILD WELFARE COMMITTEE  
GOVERNMENT OBSERVATION HOME,  
NO.34, EAST BOULEWARD ROAD,  
TIRUCHIRAPPALLI 2

7 THE DIRECTOR  
CENTRAL BUREAU OF INVESTIGATION(CBI)  
ANTI HUMAN TRAFFICKING UNIT, PLOT NO.5-B, 6TH FLOOR,  
CGO COMPLEX, LODHI ROAD, NEW DELHI 110 003

8 THE UNION SECRETARY  
MINISTRY OF HOME AFFAIRS,  
GOVT. OF INDIA,  
NORTH BLOCK, NEW DELHI 110 001

9 PASTOR GIDEON JACOB  
MOSE MINISTRIES COMPLEX, RANGANAGAR,  
SUBRAMANIAPURAM, TRICHY

... RESPONDENTS

Petition filed under Article 226 of the constitution of India, praying this Court to issue a Writ of Mandamus directing the 7th respondent Central Bureau of investigation to investigate into the trafficking and illegal confinement of 89 girl children by the 9th Respondent and consequently direct the 1st Respondent to restore the children living in the custody of 9th Respondent to their respective parents.

ORDER : This petition coming on for hearing on this day, upon perusing the petition and the affidavit filed in support thereof and the typedset of the case, and upon hearing the arguments of M/S.D.GEETHA, Advocate for the petitioner and of MR.C.SELVARAJ, Special Government Pleader on behalf of the RR1 to 6 and of MR.JEYARAMAN, Advocate for the 7<sup>th</sup> Respondent and of MR.M.SHANMUGASELVAM, Advocate for 8<sup>th</sup> Respondent, and MR.R.BASKARAN, Advocate for R9, this court made the following order:-

This District Social Welfare Officer as well as the Chairman of the Child Welfare Committee were present in Court. According to the District Social Welfare Officer, the 9<sup>th</sup> respondent does not have recognition as on date. Both parties raised serious disputes about the conditions in which the children are located. There are 89 girls housed in the home in question. Out of them 35 are stated to have attained majority.

2. Therefore, we direct Deepthi Arivunithi, I Additional District Judge, Madurai to visit the home on 28.11.2015 and 29.11.2015 and submit a report to this Court on the following:-

"(i) The infrastructural facilities available in the building;

(ii) The status of the girls housed in the home in question;

(iii) The identification of the children with reference to the area from which they hail;

(iv) The Registers maintained in the 9<sup>th</sup> respondent home about the location from which and the parents from whom the children were procured and other details".

3. The details of the school or educational institutions in which the girls are said to be studying. The Officer shall file a report containing the above details on 01.12.2015. The District

Social Welfare Officer and the Chairman of the Child Welfare Committee are permitted to accompany the Judicial Officer.

4.The matter is directed to be listed on 01.12.2015.

Sd/-  
Assistant Registrar(Record)

/True Copy/

Sub Assistant Registrar(CS)  
Madurai Bench of Madras High Court,  
Madurai-625 023.

TO

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GOVERNMENT OF TAMILNADU, SECRETARIAT,  
FORT.ST.GEORGE, CHENNAI 9

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MINISTRY OF HOME AFFAIRS,  
GOVT. OF INDIA,  
NORTH BLOCK, NEW DELHI 110 001

COPY TO:

1.THE I ADDITIONAL DISTRICT JUDGE, MADURAI.

2.M/S.S.USHA,  
DISTRICT SOCIAL WELFARE OFFICER,  
68,RAILNAGAR, EAST AMBIKAPURAM,TIRUCHIRAPPALLI-620 004

3.THE SECTION OFFICER,  
WRIT SECTION, MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.  
(FOR WATCHING REPORT)

+1. C.C. TO M/S.M.RAJARAJAN, ADVOCATE SR.NO.68027

+1CC TO MR.M.SIDDHARTHAN, ADVOCATE SR NO.68075

Order Date :27/11/2015

Hearing date:01.12.2015

ORDER

WP(MD) No.20895 of 2015

Giving direction & etc., as stated within.

RG.AAL-MPA/SAR-I 27.11.2015 4P/14C