



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2017

CORAM:

THE HONOURABLE **MR.JUSTICE T.S.SIVAGNANAM**
and
THE HONOURABLE **MR.JUSTICE P.VELMURUGAN**

Habeas Corpus Petition (MD) Nos.530 and 533 of 2017H.C.P. (MD) No.530 of 2017

Mumtaj

... Petitioner

vs.

1.The Superintendent of Police,
O/o the Superintendent of Police,
Dindigul, Dindigul District.

2.The Inspector of Police,
Vedasandur Police Station,
Dindigul District.

... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying for a direction to respondents 1 and 2 to produce the body or person of the detainee, M.Asma aged about 21 years before this Court and set her at liberty.

H.C.P. (MD) No.533 of 2017

P.Ramasamy

... Petitioner

vs.

1.The Superintendent of Police,
O/o the Superintendent of Police,
Dindigul, Dindigul District.

2.The Inspector of Police,
Vedasandur Police Station,
Dindigul District.

... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying for a direction to respondents 1 and 2 to produce the body or person of the detainee, Minor R.Shanmugapriya aged about 16 years before this Court and hand over the detainee to the petitioner.



For Petitioner
in both petitions

: Mr.A.Arul Jenifer

For Respondents
in both petitions

: Mr.C.Mayilvahana Rajendran
Additional Public Prosecutor

WEB COPY

COMMON ORDER

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

In these two Habeas Corpus Petitions, the petitioners are the parents of the detainee. One of the detainee is aged about 21 years while other is a minor aged 16 years. Both these girls were missing and therefore, their parents lodged a complaint before the respondent police and thereafter moved this Court by way of these petitions.

2. When the case was heard by us for admission on 11.04.2017, it is submitted by the learned Additional Public Prosecutor that the detainees were working in a textile mill at Vedeasandur, Dindigul District. We were informed that in and around Vedeasandur, there are several textile mills and substantial number of employees employed by those mills hail from other States. We were concerned about the manner in which the textile mills were functioning with migrant labour. We had our own doubts as to whether any verification of the persons employed there from other States were made prior to offering employment. There appears to be no proper method by which the details of the employees are maintained by the respective Managements nor the Officials including the police are intimated about the details of the employees. We were further informed that these employees were brought by agents, who operate through-out the country and many a times, the credential of the employees are not available or they are offered employment based on the forged and fabricated documents. Furthermore, the working conditions of these employees are also not put to periodic check by the appropriate Authorities.

3. The respondent police had taken effective steps and secured the detainees within four days. We questioned the detainees and both of them admitted that they had gone away with two of their co-employees who are the boys hailing from Orissa state and it appears that those boys deserted them at Bangalore and the respondent police secured them. Both of them have realised their mistake and have agreed to join their respective parents.

4. In view of the above, while closing these petitions, we are of the view that the young girls who were employed in the mills became gullible victims and many a times they are cheated as they hail from very poor families with little or no



education. Therefore, the official machinery should do something more effective, so that the girls who are employed in such textile mills are given a safe working atmosphere.

5. We may note that one of the detainees is a minor, who was employed in the textile mill. This goes to show there are no verification done by the concerned authorities who are statutorily bound to enforce the labour laws. Is there bonded labour in a sophisticated set up? It is high time something serious requires to be done. We therefore, direct the first respondent namely the Superintendent of Police, Dindigul to form a special team consisting of competent Officers which shall include a women police officer and probationary officer, work out a modality by which the police will have requisite details of migrant employees who are employed in various textile mills. In the process of such verification, several other factors will come to light and that can be shared with other Officials of the Revenue Department, Labour Department Employees, State Insurance Corporation etc.,

6. The above directions shall be effectively complied with so as to provide best results. We direct the Registry to forward a copy of this order to the District Collector, Dindigul District to take necessary follow up action by convening a meeting with the Superintendent of Police and all stake holders.

7. With the above observations, both the Habeas Corpus Petitions are dismissed.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
O/o the Superintendent of Police,
Dindigul, Dindigul District.

2. The Inspector of Police,
Vedasandur Police Station,
Dindigul District.

Copy to :
The District Collector,
Dindigul District.

Ssl/myr
AE/JC/SAR2/26.05.2017/3P/4C