



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.1375 of 2017

and

W.M.P. (MD) No.1113 of 2017

People's Upliftment in Rural Area,
Rep. by its secretary S.Jansi,

.. Petitioner

Vs.

- 1.The Director,
Directorate of Social Welfare,
Chepauk, Chennai - 5.
- 2.The Assistant Director (Child Welfare),
Directorate of Social Welfare,
Chepauk, Chennai - 5.
- 3.The District Collector,
Kanyakumari District,
Nagercoil.
- 4.The District Social Welfare Officer,
Kanyakumari District,
Nagercoil.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to grant permanent registration to the home being run by the petitioners society namely Peoples Upliftment in Rural Area under the name of Annammal Kailash Karunai Illam situated at No.100/117B, Benjamin Compound Yesuvadiyan Street, Nagercoil, Kanyakumari District forthwith by considering all the documents as submitted along with representation, dated 07.11.2016 as per the Juvenile Justice and (Care and Protection and Children Act 2000) within a time frame as specified by this Court forthwith.

For Petitioner : Mr.S.Palani Velayutham

For Respondents : Mr.T.P.Mohammed Mohideen

Additional Government Pleader

O R D E R

The petitioner seeks for Mandamus directing the respondents to grant permanent registration to the home being run by the petitioner Society viz., Peoples Upliftment in Rural Area under the name of Annammal Kailash Karunai Illam at No.100/117B, Benjamin Compound Yesuvadiyan Street, Nagercoil, Kanyakumari District by considering his representation dated 07.11.2016.

<https://hservices.mca.gov.in/hservices/>

2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondents and submitted before this



Court that already a criminal case has been filed against the petitioner in Crime No.655 of 2016 and 31 girl students were recovered from the home run by the petitioner. Thus, he submitted that when criminal prosecution is pending against the petitioner, the present prayer cannot be entertained.

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3.It is not in dispute that a criminal case filed against the petitioner as stated supra is still pending and the petitioner has not come out from the criminal prosecution successfully so as to consider his request for grant of recognition to such home. When that being the factual position, I do not think that the petitioner can maintain the present prayer and seek for a direction to the authorities to grant permanent registration.

4.Accordingly, this writ petition is dismissed, however, with liberty to the petitioner to revive the request, if the criminal prosecution, launched against the petitioner, ends in his favour. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (CS-I)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Director,
Directorate of Social Welfare,
Chepauk, Chennai - 5.
- 2.The Assistant Director (Child Welfare),
Directorate of Social Welfare,
Chepauk, Chennai - 5.
- 3.The District Collector,
Kanyakumari District,
Nagercoil.
- 4.The District Social Welfare Officer,
Kanyakumari District,
Nagercoil.

+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 5010

+1 cc to MR.S.Palani Velayutham, ADVOCATE, SR NO: 4823

W.P. (MD) No.1375 of 2017

30.01.2017

rj2