

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3628 of 2017

ORDER:

This Writ Petition is filed challenging the order dated 25.10.2016 issuing a show cause notice for payment of Rs.20,000/- for the child on the ground that the child, R.Mrudula, was employed as a domestic worker.

The case of the petitioner is that he is having no children and he was bringing up the said child, who was born to his brother who is no more. The girl is now studying 5th class. The girl did not go to the school due to some health problem and on that pretext, the respondents came to the residence of the petitioner and took away the child followed by the show cause notice.

When this Writ Petition was filed, the girl was called to the chambers and was interviewed. It is ascertained that there is no dispute with regard to the relationship of the petitioner and the girl, and the petitioner happened to be her paternal uncle. After the death of the father of the girl, she was brought to the house of the petitioner at a tender age and all her personal needs are being looked after by the petitioner, who is not having children. The Deputy Superintendent of the Home, who is also present along with the child, submitted that after the girl was brought to the Home, her another paternal uncle, who was working in Canada, came to the Home and assured of support

to the child. When the child was interviewed she stated that she is willing to go back to her paternal uncle, who is the petitioner herein.

In the circumstances, the impugned order of show cause notice is set aside and respondent No.6 is directed to handover the child to the petitioner after completing the formalities. However, it is open to the respondents to periodically inspect and verify the welfare of the child for a period of six months, and if the respondents are not satisfied, it is open to them to take appropriate legal proceedings in accordance with law.

The Writ Petition is, accordingly, allowed. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

16.02.2017

vs

(A.RAMALINGESWARA RAO, J)