

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.10.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.15713 of 2016
and
W.M.P.No.13643 of 2016

- 1.Dr.Mrs.Mubasheera Begum
- 2.Dr.Mrs.Seema Mubeen
- 3.Dr.Mrs.Mahamooda Begum
- 4.Dr.Mrs.Shehnaz Begum ..Petitioners

vs

- 1.The Principal Secretary,
Department of Health and Family Welfare
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.
- 2.The Special Commissioner & Director,
Indian Medicine & Homeopathy,
Having his office at Arumbakkam,
Chennai - 600 106.
- 3.Dr.Shaik Shahul Hameed,
Principal,
Government Unani Medical College,
Arumbakkam, Chennai - 600 106.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First and second respondent to constitute a permanent Internal or Local committee in terms of section 6 of the "Sexual Harrassment at Work Place(Prevention, Prohibition and Redressal)Act 2013, and take appropriate action against the third respondent under Section 11 of the Act, within a time frame to be fixed by this Hon'ble Court.

For Petitioners : M/s.Munurudeen Sheriff

For Respondents : Mr.R.S.Selvam, GA for R1 & R2

No appearance for R3

O R D E R

The learned Government Advocate appearing on behalf of the respondents, relying on the counter affidavit by the respondents 1 and 2, states that the respondents have already constituted Sexual Harassment Committee consisting of two Office Superintendents, and one Assistant Director level and one Scrutinizing Medical Officer. In the Committee, three women members are included and one male member is also included.

2.It is further clarified that the Committee constituted must be in accordance with Section 4 of the Sexual Harassment Act. Thus, the respondents have to verify whether the requirements under Section 4 of the said Act has been complied with or not. As stated in the counter, this Court is of an opinion that one member from outside to be appointed in accordance with Section 4 of the Sexual Harassment Act. Thus, the respondents are bound to look into the provisions of the Sexual Harassment Act carefully and accordingly, constitute the Committee in the manner known to law.

3.With these observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary,
Department of Health and Family Welfare
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.

2.The Special Commissioner & Director,
Indian Medicine & Homeopathy,
Having his office at Arumbakkam,
Chennai - 600 106.

+1cc to M/s.Munurudeen Sheriff, Advocate sr.no.70328
+1cc to Government Pleader sr.no.70579

W.P.No.15713 of 2016

nr 29/10/2018



WEB COPY