

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:09.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.33 of 2018

Chinna Ponnu
W/o.Raman

... Petitioner

-Vs-

1. Inspector of Police,
Karumathampatti Police Station,
Karumathampatti,
Coimbatore District.
2. K.P.R.Spining Mill,
Karumathampatti,
Coimbatore District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the respondent herein to produce petitioner's daughter Ellama aged 17 years and her brother's daughter Bhuvaneshwari aged 18 years before this Hon'ble Court and set them at liberty.

For Petitioner : M/s.Muthuraj

For Respondents: Mr.R.Pratap Kumar (for R1)
Additional Public Prosecutor

: Mr.P.Kumaresan (for R2)
for Mr.Sundaravadhanam

ORDER

[Order of the Court was made by C.T.SELVAM, J.]

Petitioner, who is the mother of the detainee, viz., Ellama, aged 17 years and aunt of the detainee viz., Bhuvaneshwari, aged 18 years, seeks production her daughter and niece.

2.Earlier, by an order dated 11.01.2018, Division Bench of this Court has called for a report from the State Commission for Protection of Child Rights and the Labour Department, the purpose being avoidance of workmen exploitation, particularly child labour.

3.Compliance report dated 09.02.2018 filed by the Joint Director of Industrial Safety and Health-II, Coimbatore, pursuant to joint inspection with officials of the Social Defence Department and District Child Welfare Officer, by and large inform that the position with regard to the second respondent viz., K.P.R.Spinning Mill, Karumathampatti, Coimbatore District was not much cause for worry. However, certain minor discrepancies were pointed out by the petitioner. Though, petitioner by way of affidavit has sought to cast blame on both authorities for filing the compliance report, informing that the same do not reflect the true status of affairs, we find no merits in such contention of the petitioner.

4.Affidavit filed on behalf of the second respondent i.e. K.P.R.Spinning Mill informs that every effort is being taken towards observance of all legal regulations. In paragraph 7 of the affidavit, it is stated as follows:

"7.I respectfully submit that SIMA, Coimbatore, had made representation regarding practical difficulties in making application, registration and other procedures, in The Hostel Act. The Social Welfare Department, Tirupur is registering the hostel, but the Social Welfare Department, Coimbatore is not registering. Since there is some practical difficulties, SIMA had requested the State Government to solve the issue by calling for the parties concerned and address all the issues. I submit that the 2nd respondent had also made application of the hostel and the same is pending with reference to present unit. I submit we have not employed any children in our company."

5.We are of the view that no further order is required in this Habeas Corpus Petition and accordingly the same shall stand dismissed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Karumathampatti Police Station,
Karumathampatti,
Coimbatore District.

2.The Public Prosecutor,
High Court, Madras.

+lcc to M/s.A.Sundaravadhanan, Advocate Sr.No.18043

AK(CO)
sm:17.4.2018

H.C.P.No.33 of 2018



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