

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.29639, 29643, 29646 & 29650 of 2019

W.P.Nos.29639 of 2019

M.Nujithath Beevi

... Petitioner

Vs.

1.Government of Tamil Nadu represented by the
Additional Chief Secretary to Government,
Home(Prison.II) Department, Fort St.George,
Chennai 600009

2.The Additional Director General of Police,
Whannels Road, Egmore, Chennai 600 008

3.The Superintendent of Prisons, Women Sub Jail,
Thuckalay, Kanyakumari District

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to issue suitable government orders to the effect of regularising the services of the petitioner as Female Escort Warder Grade II with effect from the date of her initial appointment on 13.10.1999 with attendant, service and monetary benefits attached to the said post of Female Escort Warder Grade II and all other promotion benefits also and pay the resultant arrears thereon within a time-frame that may be stipulated by this Hon'ble Court in the light of the order issued by the Hon'ble Madurai Bench of the Hon'ble Madras High Court in its order dated 04.06.2012 made in W.P.(Md.) No.5347 of 2011 and in the light of G.O.(Ms.)No.952, Home (Prisons-II) Department dated 29.12.2017.

W.P.Nos.29643 of 2019

M.Nujithath Beevi

... Petitioner

Vs.

1.Government of Tamil Nadu represented by the
Additional Chief Secretary to Government,
Home(Prison.II) Department, Fort St.George,
Chennai 600009

2.The Additional Director General of Police,
Whannels Road, Egmore, Chennai 600 008

3.The Superintendent of Prisons, Women Sub Jail,
Thuckalay, Kanyakumari District ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to issue suitable government orders to the effect of regularising the services of the petitioner as Female Escort Warder Grade II with effect from the date of her initial appointment on 13.10.1999 with attendant, service and monetary benefits attached to the said post of Female Escort Warder Grade II and all other promotion benefits also and pay the resultant arrears thereon within a time-frame that may be stipulated by this Court in the light of the order issued by this Court in W.P.No.11909 of 2006 dated 21.07.2010, which was implemented by the first respondent in G.O.Ms.No.187, Home (Prison-II) Department dated 14.03.2011 and confirmed by a Division Bench of this Court in W.A.No.635 of 2011 dated 12.04.2011 together with all attendant, service and monetary benefits attached to the above said post of Female Warder.

W.P.Nos.29646 of 2019

P.Manonmani ... Petitioner

1.Government of Tamil Nadu represented by the
Additional Chief Secretary to Government,
Home(Prison.II) Department, Fort St.George,
Chennai 600009

2.The Additional Director General of Police,
Whannels Road, Egmore, Chennai 600 008

3.The Superintendent of Prisons, Women Sub Jail,
Thuckalay, Kanyakumari District ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent herein namely the Government of Tamil Nadu represented by the Additional Chief Secretary to Government, Home (Prison-II) Department, Fort St.George, Chennai

600009, to issue suitable government orders to the effect of regularising the services of the petitioner as Female Escort Warder Grade II with effect from the date of her initial appointment on 24.07.1999 with attendant, service and monetary benefits attached to the said post of Female Escort Warder Grade II and all other promotion benefits also and pay the resultant arrears thereon within a time-frame that may be stipulated by this Court in the light of the order issued by the Hon'ble Madurai Bench of the Hon'ble Madras High Court in its order dated 04.06.2012 made in W.P.(Md.) No.5347 of 2011 and in the light of G.O.(Ms.)No.952, Home (Prisons-II) Department dated 29.12.2017.

W.P.Nos.29650 of 2019

P.Manonmani

... Petitioner

Vs.

1.Government of Tamil Nadu represented by the Additional Chief Secretary to Government, Home(Prison.II) Department, Fort St.George, Chennai 600009

2.The Additional Director General of Police, Whannels Road, Egmore, Chennai 600 008

3.The Superintendent of Prisons, Women Sub Jail, Thuckalay, Kanyakumari District

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent herein namely the Government of Tamil Nadu represented by the Additional Chief Secretary to Government, Home (Prison-II) Department, Fort St.George, Chennai 600009, to issue suitable government orders to the effect of regularising the services of the petitioner as Female Escort Warder Grade II with effect from the date of her initial appointment on 24.07.1999 with attendant, service and monetary benefits attached to the said post of Female Escort Warder Grade II and all other promotion benefits also in the light of the order issued by this Court in W.P.No.11909 of 2006 dated 21.07.2010, which was implemented by the first respondent in G.O.Ms.No.187, Home (Prison-II) Department dated 14.03.2011 and confirmed by a Division Bench of this Court in W.A.No.635 of 2011 dated 12.04.2011 together with all attendant, service and monetary benefits attached to the above said post of Female Warder within a time frame that may be stipulated fixed by this Court.

For Petitioner : Mr.K.S.Govinda Prasad
in all W.P.'s

For Respondents : Mr.A.N.Thambidurai,
in all W.P.'s Special Government Pleader

COMMON O R D E R

By consent, these writ petitions are taken up for final disposal.

2.The case of the petitioners is that the petitioners were appointed as Grade-II Female Escort Warder in the year 1999. However, their services were regularised in the year 2013. In the similar batch of cases, this Court passed an order, pursuant to which Government Orders were also passed giving retrospective regularisation from the date of initial appointment. In order to avail such benefit the petitioners have filed these writ petitions. On perusal of records, it is seen that the petitioners have not made any representation to the respondents so far.

3.Considering the facts and circumstances of the case, I am not inclined to give positive direction. However, the petitioners are permitted to make representations to the respondents within a period of two weeks from the date of receipt of a copy of this order. If any representation is received, the official respondent may pass appropriate orders as expeditiously as possible.

4.Accordingly, these writ petitions stand disposed of. No costs.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

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To

1.The Additional Chief Secretary to Government,
Government of Tamil Nadu represented by the
Home(Prison.II) Department, Fort St.George,
Chennai 600009

WEB COPY

2.The Additional Director General of Police,
Whannels Road, Egmore, Chennai 600 008

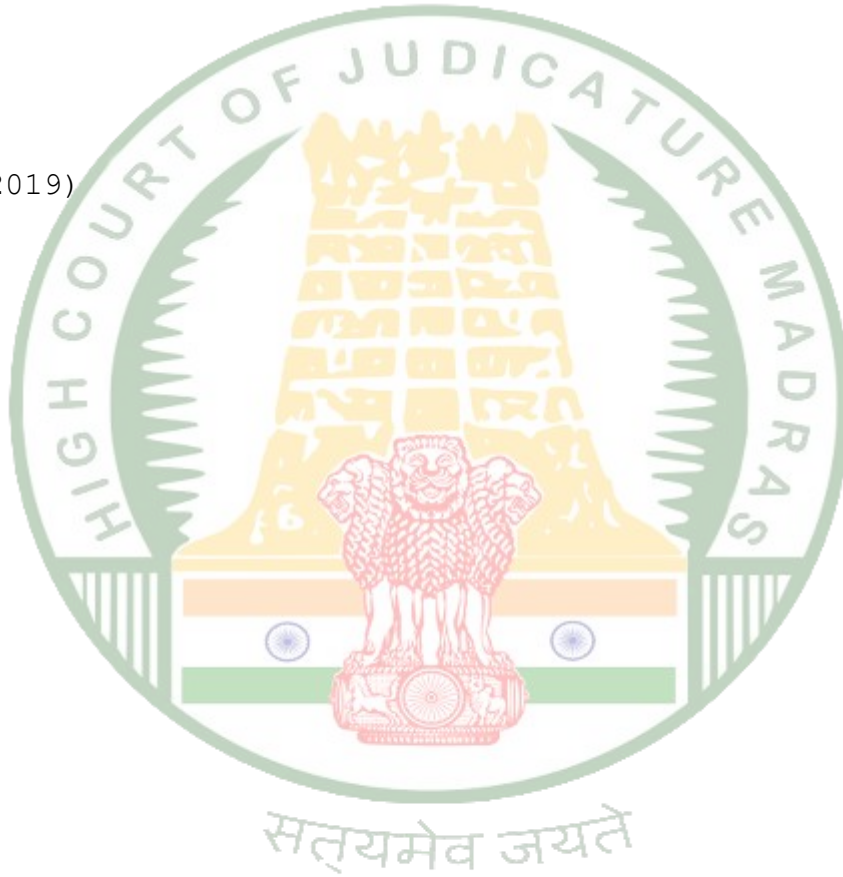
3.The Superintendent of Prisons, Women Sub Jail,
Thuckalay, Kanyakumari District

+4 CCS to Mr.K.S.Govinda Prasad, Advocate sr 87246

+1 CC to Government Pleader sr 87346

W.P.Nos.29639, 29643, 29646 & 29650 of 2019

NR(CO)
SP(18/11/2019)



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