

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.17428 of 2013

&

M.P.Nos.1 & 2 of 2013

B.Ebinezer Sunny,
President - Guild of Service Childrens Home,
Margaret Villa, Luthern Hill,
Kothagiri, Nilgiris District. ... Petitioner

-vs-

1. The District Collector,
Nilgiris.
2. The President,
Child Welfare Committee,
Ooty, Nilgiris District.
3. M.Ramakrishnan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the proceedings of the 1st respondent herein proceedings Proc. Na.Ka.No.1234/ A3/2013 dated 14.6.2013 and quash the same.

For Petitioner : Ms.AL.Ganthimathi
For RR1 & 2 : Mr.V.Shanmugasundar
Special Government Pleader
For R3 : No appearance

ORDER

This writ petition is heard through Video-Conferencing, on account of the COVID-19 pandemic situation.

2. The writ petition has been filed challenging the proceedings in Proc. Na.Ka.No.1234/A3/2013 dated 14.06.2013.

3. The petitioner has been running Guild of Service Children's Home in the place belonging to the third respondent, M.Ramakrishnan. The president of the Child Welfare Committee had

addressed that the above said Guild of Service Children Home was not registered under the Juvenile Justice (Care and Protection of Children) Act, 2006, Amendment Act 2006. Besides, the place where the home was running, is under dispute and there has been some difficulties for anyone to get in and out of the above said home. Therefore, the District Collector, Nilgiris, who is the first respondent herein had recommended that sixteen (16) girl children, who were in the custody of the petitioner-home to be shifted to various other children service homes and recommended that the Guild of Service Children Home should be closed. Challenging the said order, the above writ petition has been filed.

4. The first respondent-District Collector has filed a counter affidavit, wherein it is stated that, all the children have been transferred from the Guild of Service Children Home to nearby children home, as early as on 27.06.2013, even before the interim order of this Court was passed.

5. It is further stated that the said Guild of Service Children Home was already closed, there is nothing survives further to be adjudicated in this writ petition.

6. Recording the statement made by the District Collector, Nilgiris, the writ petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Nilgiris.

2. The President,
Child Welfare Committee,
Ooty, Nilgiris District.

+1cc to M/s.AL.Ganthimathi, Advocate, Sr.No.30370

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nmi (co)
rr ii (30/09/2020)