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W.P.Nos.15187 and 17045 of 2019

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 27.03.2023

CORAM

**THE HON'BLE MR.JUSTICE M.DHANDAPANI**

W.P.Nos.15187 and 17045 of 2019  
and WMP.Nos.15167 to 15168, 16598 & 16599 of 2019

St.Anne's Home for Children  
Rep. By its Secretary,  
A.Kattupadi,  
Vellore District – 632 011.

... petitioner in both W.Ps.

-Vs-

1. The Director,  
Directorate of Social Defence,  
No.300, Puraswalkam High Road,  
Kellys, Chennai – 600 010.
2. The Director,  
The Directorate of Social Welfare,  
SIDCO Building,  
Thiru Vi Ka. Industrial Estate,  
Guindy, Chennai – 600 032.
3. The District Collector,  
Collector's Office,  
Vellore District, Vellore.
4. District Child Protection Officer,  
District Child Protection Unit,  
Anna Salai Opp – Circuit House,  
Vellore – 632 001.



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5. The Chairman,  
Child Welfare Committee,  
Government Reception Unit for Boys,  
Kakithapattari Sathuvachari,  
Vellore – 623 001.

... Respondents 1 to 5 in both W.Ps.

6. The Director,  
Directorate of Town and Country Planning  
Opp to LIC,  
Chengalvarayan Building, Fourth Floor,  
807, Anna Salai,  
Chennai – 600 002.

... 6<sup>th</sup> respondent in

W.P.No.17045/2019

[R6 impleaded in W.P.No.17045 of 2019 vide order dated 12.07.2019 made in WMP.No.19899 of 2019 in W.P.No.17045 of 2019]

**Prayer in W.P.No.15187 of 2019:** Petition filed under Article 226 of the Constitution of India, for issuance of Writs of Certiorarified Mandamus, calling for the records pertaining to impugned proceedings dated 15.04.2019 in Letter No.4341/D2/2019, modifying the accommodation capacity of the petitioner home to 77 children and the consequent proceedings dated 15.04.2019 in Letter No.4341/D2/2019, directing the shifting of the other 167 tribal children from the petitioner home, on the file of the 1<sup>st</sup> respondent and quash the same directing the respondents to grant a period of one year, to complete construction of additional space in the petitioner home, as stipulated under the amended Juvenile Justice (Care and Protection of Children) Model Rules, 2016.



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**Prayer in W.P.No.17045 of 2019:** Petition filed under Article 226 of the Constitution of India, for issuance of Writs of Certiorari, calling for the records pertaining to impugned proceedings dated 10.06.2019 in Letter No.4341/D2/2019 on the file of the 1<sup>st</sup> respondent and quash the same.

For petitioner : Mr. A.Arulmary

For Respondents : Mr.K.M.D.Muhilan,  
Additional Government Pleader

### **COMMON ORDER**

Since the issue involved in both the matters and the facts are one and the same, both the writ petitions are disposed of by way of common order.

2. W.P.No.15187 of 2019 has been filed seeking to quash the impugned proceedings dated 15.04.2019 by modifying the accommodation capacity of the petitioner home to 77 children and the consequent proceedings dated 15.04.2019 directing the shifting of the other 167 tribal children from the petitioner home, on the file of the 1<sup>st</sup> respondent and directing the respondents to grant a period of one year, to complete construction of additional space in the petitioner home, as stipulated under the amended Juvenile Justice (Care and Protection of Children)



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Model Rules, 2016.

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3. W.P.No.17045 of 2019 has been filed seeking to quash the impugned proceedings dated 10.06.2019 on the file of the 1<sup>st</sup> respondent refusing time to the petitioner for construction of additional dormitory and consequently, directing the transfer of 167 children from the petitioner home and the school is being challenged.

4. When the matters taken up for hearing, the learned counsel for the petitioner submitted that the children were already transferred from the petitioner institution to some other child care institution. Hence, no further order is necessary in both the writ petition.

5. Recording the submission made by the learned counsel for the petitioner, both the writ petitions are dismissed. No costs.

**27.03.2023**

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To

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**M.DHANDAPANI, J.**

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