



W.P.(MD)No.13917 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.09.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.13917 of 2017

and

W.M.P.(MD)Nos.10871, 10872 of 2017 & 20567 of 2018

C.J.Christopher Signi

... Petitioner

/Vs./

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Energy (D2) Department,
5th Floor, Secretariat,
Fort.St.George, Chennai 9.
 - 2.The Chief Electrical Inspector to Government,
O/o. The Chief Electrical Inspector to Government,
Thiru.Vi.Ka. Industrial Estate,
Guindy, Chennai 600 032.
 - 3.The Senior Electrical Inspector,
Corporation Commerical Complex,
Dr.Nanjappa Road,
Coimbatore 641 018.
 - 4.Women's Complaints Committee,
Rep. by its President,
Office of the Chief Electrical Inspector to the Government,
Chennai 600 032.
- ... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records pertaining to the Impugned order in Se.Mu.Aa.No.8283/E1/2010 dated 20.10.2016 on the file of the Respondent No.2 and the Impugned Enquiry Report on the file of the Respondent No.4 dated 23.11.2016 and the Impugned Order in Ku.Aa.No.50563/E2/2016 dated 23.02.2017 on the file of the Respondent No.2 and the Impugned Order in Ku.Aa.No.50563/E2/16 dated 25.05.2017 on the file of the Respondent No.2 and the Impugned Order in G.O.(D)No.15 Energy (D2) Department, dated 11.07.2017 on the file of the respondent No.1 and the consequential impugned order in Memorandum No.11998/MuMiAa/Kovai/Ka/2016-2 dated 19.07.2017 on the file of the Respondent No.3 and quash the same as illegal and consequently for a direction, directing the respondent No.2 to conduct a de-novo enquiry by constituting a committee in consonance with the Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
Senior Counsel

For Respondents : Mr.S.Kameswaran
Government Advocate



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ORDER

This writ petition has been filed challenging the impugned enquiry on the ground that Vishaka guidelines procedure as laid down by the Hon'ble Supreme Court as well as the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 have not been followed.

2. According to the petitioner, the constitution of the committee holding the enquiry against the petitioner is not as per vishaka guidelines and the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

3. It is now brought to the notice of this Court by the learned Government Advocate appearing for the respondents through the proceedings of the second respondent dated 09.11.2023 that a new committee has been constituted to enquire the sexual harassment allegations against the petitioner by adhering to the procedure as contemplated under vishaka guidelines issued by the Hon'ble Supreme



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Court as well as the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. The learned counsel appearing for the petitioner has also been given a copy of the proceedings of the second respondent dated 19.11.2023.

4. After recording the undertaking given by the respondents through their Government Advocate that vishaka guidelines procedure as well as the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 have been followed by constitution of a new committee, this writ petition is disposed of by directing the respondents to complete the enquiry as expeditiously as possible by giving a fair hearing to the petitioner. No costs. Consequently, connected miscellaneous petitions are closed.

06.09.2024

Index : Yes / No
NCC : Yes / No
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TO:-

- 1.The Director General of Police,
Tamilnadu, Chennai.
- 2.The Commissioner of Police,
Chennai Metropolitan City,
Vepperi, Chennai.
- 3.The Assistant Commissioner of Police,
Armed Reserve Force 'I', Chennai.



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ABDUL QUDDHOSE, J.

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Order made in
W.P.(MD)No.13917 of 2017

Dated:
06.09.2024