

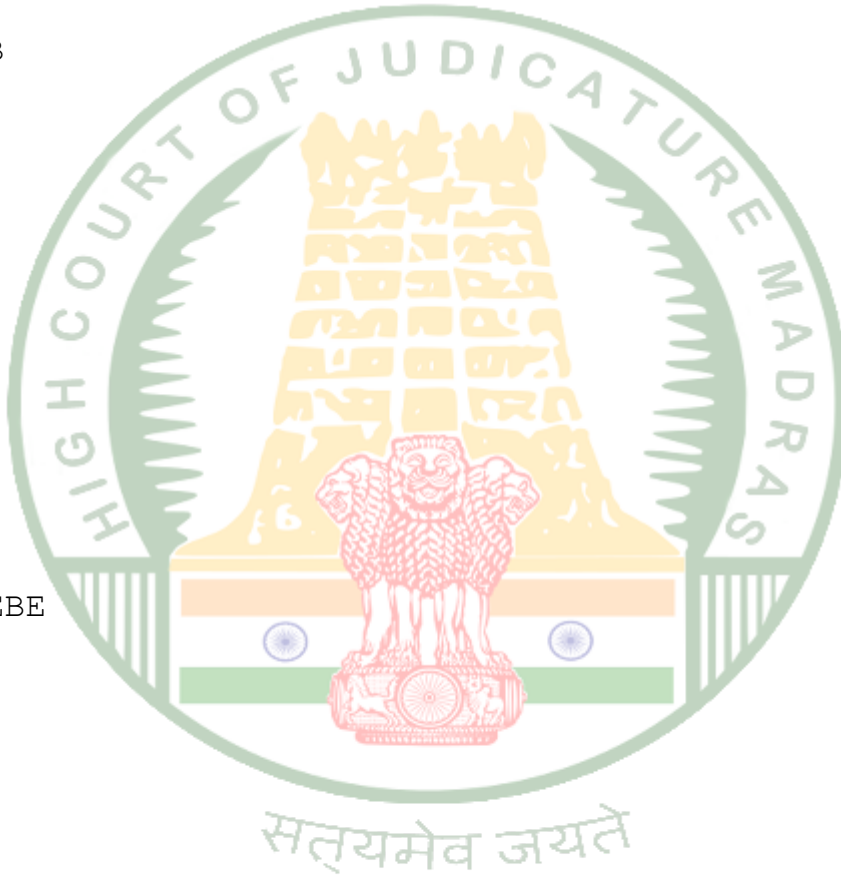
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Special Original Jurisdiction )  
Thursday, the Twenty Second day of February Two Thousand and  
Eighteen

PRESENT

**The Hon`ble Mr.Justice T.S.SIVAGNANAM**  
**and**  
**The Hon`ble Mrs.Justice R.THARANI**

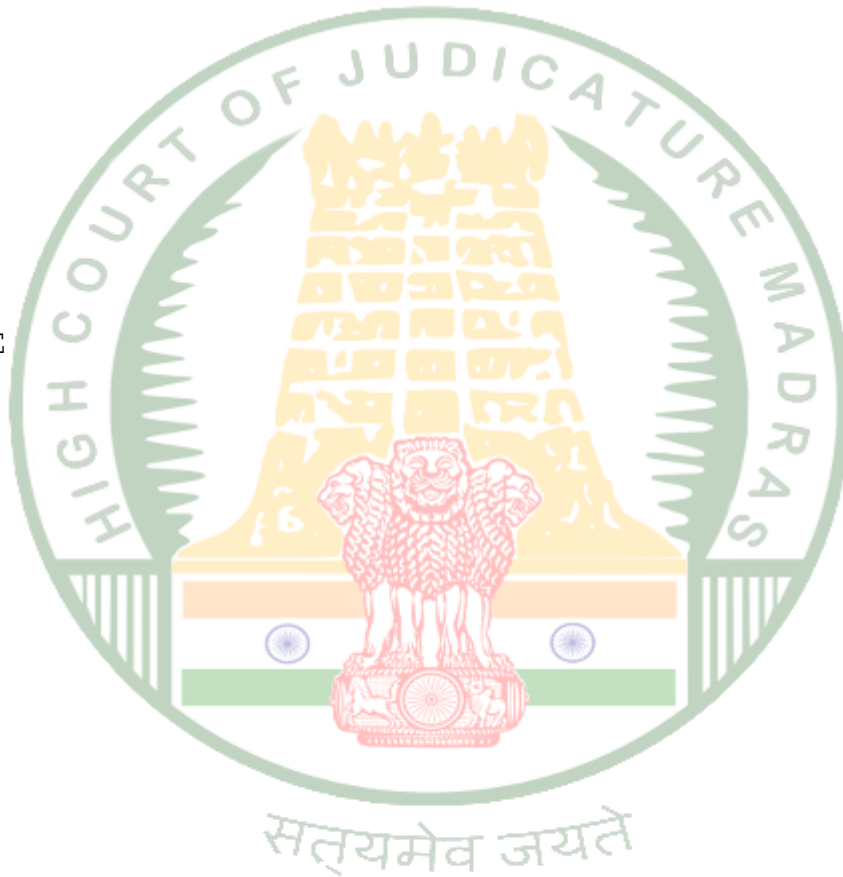
WP(MD) No.8122 of 2017

- 1 JULIA JACOB
- 2 EUNICE
- 3 ESTHER
- 4 BEULA
- 5 ZIPPORAH
- 6 SUSANNA
- 7 REBECCA
- 8 SARA
- 9 TABEA
- 10 HENA
- 11 MICHELLE
- 12 DEBORATH
- 13 RUTH
- 14 ANGEL
- 15 DAMARIS
- 16 GLORY PHOEBE
- 17 TRYPHOSA
- 18 RAHEL
- 19 NAGOMI
- 20 PRISCILLA
- 21 ELIZABETH
- 22 LEYAL
- 23 HELENA
- 24 VICTORIA
- 25 JOY
- 26 MARYANN
- 27 MAGDALENA
- 28 MIZPA JACOB
- 29 GNANAOLI
- 30 DOROTHY
- 31 VERONICA
- 32 FLORANCE
- 33 FRANCIS
- 34 GLADYS
- 35 EVELYN
- 36 THERESA
- 37 BERENIKA
- 38 OLIVIA
- 39 JOANA



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40 CHRISTINA  
 41 GRACE G  
 42 DAVANIA  
 43 SYLVIE  
 44 NICOLA  
 45 JOSEPHINE  
 46 CORINNA  
 47 PAMILA  
 48 VIRGINIA  
 49 RAFFAELA  
 50 SHARON  
 51 LOURA  
 52 CATHERINE  
 53 VIVIAN  
 54 LINDA  
 55 JANETT  
 56 MERCY  
 57 CAROLYN  
 58 PHYLLIS  
 59 DOMINIQUE  
 60 JASMINE  
 61 JACQUELINE  
 62 ANNICA G,  
 63 CLARIE  
 64 PAULINE  
 65 ALISON  
 66 HARRIET  
 67 SALOME  
 68 TAMARA  
 69 CELINE  
 70 BERYL  
 71 ALICE  
 72 SHEEBA  
 73 QUELUA  
 74 CHRYSTAL  
 75 ULRICA  
 76 MELISSA  
 77 SAMANTHA  
 78 MERIAH  
 79 KIMBERLY  
 80 FIONA  
 81 ASHLEY  
 82 LYNN  
 83 ESTELLE  
 84 CHIARA  
 85 LARISSA  
 86 LOREEN



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... PETITIONERS

**Vs**

1 THE DIRECTOR OF SOCIAL WELFARE,  
<http://www.judis.nic.in>  
 DEPARTMENT OF SOCIAL WELFARE,  
 CHEPAUK, CHENNAI.

2 THE DISTRICT COLLECTOR,  
COLLECTORATE OFFICE,  
TRICHY DISTRICT.

3 THE DISTRICT SOCIAL WELFARE OFFICER,  
COLLECTORATE BUILDING,  
TRICHY.

4 THE CHILD WELFARE COMMITTEE  
REP. BY ITS CHAIRMAN,  
HAVING OFFICE AT  
OBSERVATION HOME AT BABU ROAD (EAST BOULEVAR ROAD),  
TRICHY.

5 THE SUPERINTENDENT OF POLICE,  
TRICHY DISTRICT, TRICHY.

6. THE DIRECTOR,  
CENTRAL BUREAU OF INVESTIGATION (CBI),  
ANTI HUMAN TRAFFICKING UNIT,  
PLOT NO.5-B, 6<sup>th</sup> FLOOR,  
CGO COMPLEX, LODHI ROAD,  
NEW DELHI- 110 003.

.. RESPONDENTS

(R6 IS SUO MOTU IMPEADED VIDE COURT ORDER  
DATED 11.12.2017 IN WP(MD)No.8122/2017)

**PRAYER:** Writ Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a writ of Mandamus directing the respondents herein to set the petitioners herein free forthwith from the control and custody of the respondents herein at Mose Ministries Home, Trichy and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of this case and thus render justice.

**ORDER :** This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.M.SIDDHARTHAN, Advocate for the Petitioners and of MR.CHELLAPANDIAN, Additional Advocate General-III assisted MR.D.MURUGANANTHAM, Additional Government Pleader on behalf of the Respondents No.1 to 4 and of MR.N.NAGENDRAN, CBI Counsel for Respondent No.6, the Court made the following order:-

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

The learned counsel appearing for the parties have placed before this Court an order passed by the Hon'ble Supreme Court in S.L.P.No.1711 of 2018, dated 16.02.2018, which reads as follows:

"Mr.Colin Gonsavles, learned senior counsel appearing for the petitioners, submits that the petitioners-girls are capable of looking after themselves and therefore, they may be released from the custody of the District Social Welfare Department.

However, by way of abundant caution, we consider it appropriate to have the girls interviewed by an independent competent person and a report in that regard be placed before us.

We accordingly appoint Mr.Justice K.N.Basha, former Judge of Madras High Court and learned senior counsel, who is present in the Court today and has given his consent for the above purpose. Mr.Justice Basha may interview the girls at Madras High Court Mediation Centre at Madurai Bench, Madurai and accordingly, will submit a detailed report to this Court within a period of six weeks from today. We direct that the Madras High Court shall provide such accommodation and necessary facilities at Madurai for the aforesaid purpose.

The petitioners are directed to furnish a copy of the SLP paper-book to Mr.Justice Basha forthwith for his kind perusal.

We also appoint Mr.Karthikeyi Balan, learned Advocate, as Secretary to assist Mr.Justice Basha in the said task. Mr.Balan will maintain the necessary record.

It is made clear that all the expenses including travel and stay of the petitioners-girls shall be borne by the State of Tamil Nadu.

Needless to mention that the State of Tamil Nadu shall ensure proper safety, food, accommodation and other facilities are adequately provided to the petitioners-girls during their stay at Madurai.

List the matter along with the report after six weeks.

In the meantime, the petitioners are directed to take fresh steps to serve the unserved respondent".

2.In the light of the above order, we defer further proceedings in the matter to enable the Hon'ble Mr.Justice K.N.Basha, former Judge of Madras High Court, to carry out the exercise, as directed by the Hon'ble Supreme Court.

3.The learned Additional Advocate General appearing for the respondents 1 to 5, has produced before us, a copy of the complaint given by Ms.A.Mariyatheras and another, who had gone duty in the Home. A copy of the complaint shall be handed over to the Investigating Officer of Central Bureau of Investigation, who is present in Court and she shall enquire into the matter and submit a confidential report on the next hearing date.

4.Call on 09.03.2018.

Sd/-  
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

TO

THE HON'BLE MR.JUSTICE K.N.BASHA,  
FORMER JUDGE,  
HIGH COURT OF JUDICATURE AT MADRAS.

**COPY TO:**

- 1 THE DIRECTOR OF SOCIAL WELFARE,  
DEPARTMENT OF SOCIAL WELFARE,  
CHEPAUK, CHENNAI-5.
- 2 THE DISTRICT COLLECTOR,  
TRICHY.
- 3 THE DISTRICT SOCIAL WELFARE OFFICER,  
COLLECTORATE BUILDING,  
TRICHY.
- 4 THE CHAIRMAN,  
THE CHILD WELFARE COMMITTEE,  
HAVING OFFICE AT  
OBSERVATION HOME AT BABU ROAD (EAST BOULEWAR ROAD),  
TRICHY.
- 5 THE SUPERINTENDENT OF POLICE,  
TRICHY.
- 6 THE DIRECTOR,  
CENTRAL BUREAU OF INVESTIGATION (CBI),  
ANTI HUMAN TRAFFICKING UNIT,  
PLOT NO.5-B, 6<sup>th</sup> FLOOR,  
CGO COMPLEX, LODHI ROAD,  
NEW DELHI- 110 003.
- 7 The Special Public Prosecutor for CBI cases,  
Madurai Bench of Madras High Court, Madurai.

**Copy To:-**

The Section Officer,  
Supreme Court Section,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER DATED : 22.02.2018

**ORDER**

WP(MD) No.8122 of 2017

Giving direction etc., as  
stated within.