

HAND DELIVERY

- 1 -

NC: 2025:KHC:15259
WP No. 10392 of 2025



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF APRIL, 2025

BEFORE

THE HON'BLE MR JUSTICE M.NAGAPRASANNA

WRIT PETITION NO. 10392 OF 2025 (GM-RES)

BETWEEN:

1. WAILAD NONGTDU
S/O MARTHA NOGTDU
AGED ABOUT 31 YEARS
LEGAL REPRESENTATIVE OF
PETITIONER NO.2 TO 23
S/O MARTHA NONGTDU,
NO.2, DIENGCHYNRUM
KHILEHRIT P.O., JAINTIA HILLS,
MEGHALAYA - 793 200.

CURRENTLY RESIDING AT:
6-119/7 GAURI SADANA
ABBAKKA NAGAR, KOTTARA,
MANGALURU - 575 006
KARNATAKA.

Digitally signed by
NAGAVENI
Location: High
Court of
Karnataka

2. IALAM DKHAR
D/O PLAN SANA
AGED ABOUT 38 YEARS,
RESIDING AT CHAM CHAM VILLAGE,
EAST JAINTIA HILLS
DISTRICT MEGHALAYA -793 160
CHILD: HAMEKUPAR DKHAR.

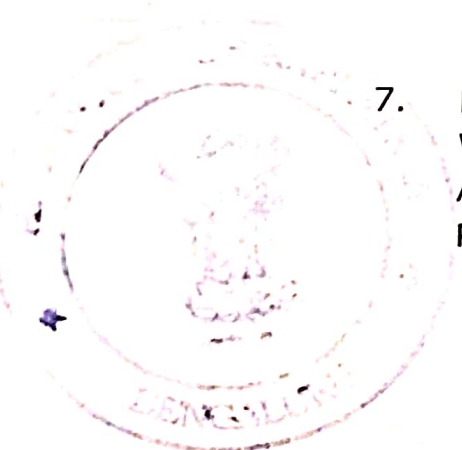
WOMPHER IAKAI
W/O HOLJI LYTEP
AGED 44 YEARS





RESIDENT OF NIENSHNONG, SHANGPUNG
POHSHNONG VILLAGE,
WEST JAINTIA HILLS DISTRICT,
MEGHALAYA – 793 150
CHILD: ARWONI IAKAI.

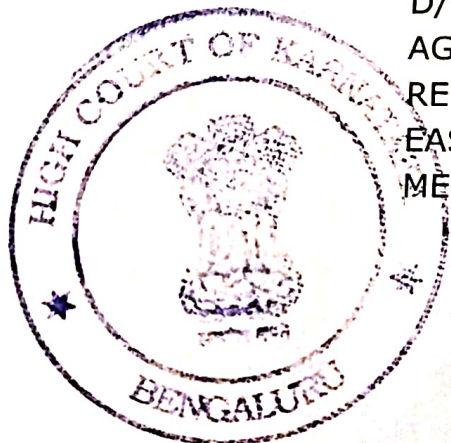
4. SIDU BUHTEP
W/O AION TYNSONG
AGED 45 YEARS.
RESIDENT OF
PYNURSLA MAWLAM VILLAGE,
EAST KHASI HILLS DISTRICT,
MEGHALAYA – 793 110
CHILD:BAIARLANG BUHTEP.
5. LANAICA MUKHIM
D/O NOSILA MUKHIM
AGED 36 YEARS,
RESIDENT OF MOOKYNDUR VILLAGE,
WEST JAINTIA HILLS DISTRICT,
MEGHALAYA - 793 151.
CHILD: KHEINKORKI MUKHIM.
6. TINORIS SANGRIANG
W/O BANTEILANG LAITMIT
AGED 40 YEARS.
RESIDENT OF MAWKAIANG
LANGDIAN VILLAGE,
WEST KHASI HILLS DISTRICT,
MEGHALAYA – 793 119.
CHILD: LAWANPYNSKHEM SANGRIANG.
7. RIKINI PASLEIN
W/O NIDA-O-HI RYNGKHLICM
AGED 32 YEARS,
RESIDENT OF KHLIEHRIAT WEST VILLAGE,





EAST JAINTIA HILLS DISTRICT,
MEGHALAYA – 793 200.
CHILD: FREDDY PASLEIN.

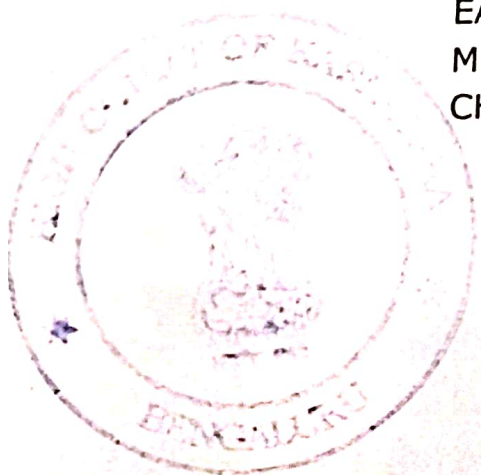
8. SHIMTI DKHAR
D/O KWIR DKHAR,
AGED 34 YEARS,
RESIDENT OF RNGAD VILLAGE,
EAST JAINTIA HILLS DISTRICT,
MEGHALAYA – 793 160.
CHILD: KERDAMIKI DKHAR.
9. PONIMA LANGSTANG
D/O DAWLI IAKAI,
AGED 35 YEARS,
RESIDENT OF SHANGPUNG
KHLIEH MUSHUT VILLAGE,
WEST JAINTIA HILLS DISTRICT,
MEGHALAYA – 793 150.
CHILD: KHRAWBOK LANGSTANG.
10. WANBOKLANG RYMMAI
D/O MOIN KHONGWET,
AGED 44 YEARS,
RESIDENT OF WAHKHEN VILLAGE,
EAST KHASI HILLS DISTRICT,
MEGHALAYA – 793 110.
CHILD: PYNIARLANG RYMMAI.
11. BADAHUNLANG KHONGJEE
D/O KOPHI TYNSONG,
AGED 35 YEARS,
RESIDENT OF NONGCITNIANG VILLAGE,
EAST KHASI HILLS DISTRICT,
MEGHALAYA – 793 109.





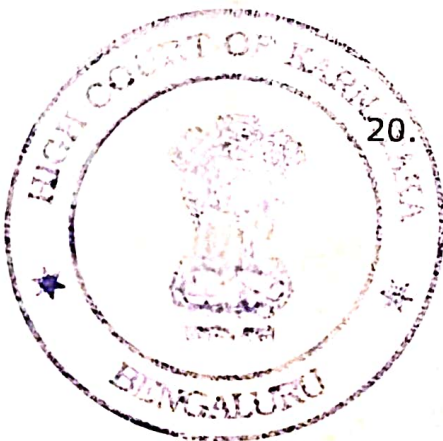
CHILD. BATNGENLANG KHONGJEE.

12. MARBIANGHUN MARWEIN
W/O DONBOKLANG SYIEMLEH,
AGED 34 YEARS,
RESIDENT OF LAWSE VILLAGE,
WEST KHASI HILLS DISTRICT,
MEGHALAYA - 793 119.
CHILD: DAMEBANTEI MARWEIN.
13. REDAY LANGBANG
D/O RIBIL LANGBANG,
AGED 32 YEARS,
RESIDENT OF SHANGPUNG
KHLIEHRANGNAH VILLAGE,
WEST JAINTIA HILLS DISTRICT,
MEGHALAYA - 793 150.
CHILD: DAVIDMON LANGBANG.
14. PHAIA DKHAR
W/O TEN BANG,
AGED 38 YEARS,
RESIDENT OF CHAM CHAM VILLAGE,
EAST JAINTIA HILLS DISTRICT,
MEGHALAYA - 793 160.
CHILD: DEFENDME DKHAR.
15. JUNITA PASLEIN
W/O JISUS SYRTI,
AGED 38 YEARS,
RESIDENT OF KHLICHRIAT WEST VILLAGE,
EAST JAINTIA HILLS DISTRICT,
MEGHALAYA - 793 200.
CHILD: ENRICHBORN SON PASLEIN.





16. WOM DKHAR
W/O WAILAD PDE,
AGED 40 YEARS,
RESIDENT OF SHAM SHAM VILLAGE,
WEST JAINTIA HILLS DISTRICT,
MEGHALAYA – 793 200.
CHILD: HABAN DKHAR.
17. DEIMON SUNGOH
D/O IOKS LANGWAR,
AGED 48 YEARS,
RESIDENT OF MUKHAP VILLAGE,
WEST JAINTIA HILLS DISTRICT,
MEGHALAYA – 793 150.
CHILD: KITBUROMMI SUNGOH.
18. KOL DKHAR
D/O IN KYNDAIT,
AGED 47 YEARS,
RESIDENT OF CHAM CHAM VILLAGE,
EAST JAINTIA HILLS DISTRICT,
MEGHALAYA – 793 160.
CHILD: PIARMON DKHAR.
19. KNIEH DKHAR
D/O SYAID DKHAR,
AGED 40 YEARS,
RESIDENT OF CHAM CHAM VILLAGE,
EAST JAINTIA HILLS DISTRICT,
MEGHALAYA – 793 160.
CHILD: VICKY DKHAR.
20. JOPLANG SAYOO
D/O WIT LANGBANG,
AGED 56 YEARS





RESIDENT OF SHANGPUNG
KHLIEHMUSHUT VILLAGE,
WEST JAINTIA HILLS DISTRICT,
MEGHALAYA - 793 150.
CHILD: BATSKHEM MIKI SAYOO.

21. TIBANA SYNTENG
D/O J.K.RYNGKI,
AGED 37 YEARS,
RESIDENT OF TYRSAD UMKSEH VILLAGE,
EAST KHASI HILLS DISTRICT,
MEGHALAYA - 793 121.
CHILD: KYRSHANLANG SYNTENG.
22. BARINYLLA NONGSIEJ,
W/O WARLESSTAR,
AGED 36 YEARS,
RESIDENT OF PYNDENGLAWAR VILLAGE,
WEST KHASI HILLS DISTRICT,
MEGHALAYA - 793 119.
CHILD: NELLFORDSTAR NONGSIEJ.
23. WANPYNTNGEN SUNGOH
W/O CHIRUP SAYOO,
AGED 34 YEARS,
RESIDENT OF SHANGPUNG MOLIBANG VILLAGE,
WEST JAINTIA HILLS DISTRICT,
MEGHALAYA - 793 150.
CHILD: NAMEBANTEI SUNGOH.

...PETITIONERS

(BY SRI RAMAMURTHY, ADVOCATE A/W
SRI. SHYAM PRASAD T.S., ADVOCATE)





AND:

1. GOVERNMENT OF KARNATAKA
REPRESENTED THROUGH
CHIEF SECRETARY
ROOM NO. 320, 3RD FLOOR,
VIDHANA SOUDHA
BENGALURU – 560 001
PHONE:+ 91-80-22252442, +91-80-22253716
FAX.+91-80-22258913
EMAIL. cs@karnataka.gov.in
2. DEPUTY COMMISSIONER,
MANDYA DISTRICT
DEPUTY COMMISSIONER'S OFFICE
MANDYA – 571 401
PHONE. 08232-224600
EMAIL. demandya09@gmail.com
3. CHILD WELFARE COMMITTEE (CWC)
MANDYA DISTRICT
ANUGRAHA BUILDING, 1ST CROSS
SUBHASH NAGAR, MANDYA – 571 401
PHONE:08232-223222.
4. DEPARTMENT OF WOMEN AND
CHILD DEVELOPMENT
EMPOWERMENT OF DIFFERENTLY ABLED
AND SENIOR CITIZENS
THROUGH THE SECRETARY TO
GOVERNMENT OF KARNATAKA
GATE NO.3, 1ST FLOOR, M.S.BUILDING.
DR.B.R.AMBEDKAR VEEDHI,
BENGALURU – 560 001.
prlsecy-wc@karnataka.gov.in





www.karnataka.gov.in/wcddsce.

5. SUPERINTENDENT OF
THE CHILDREN'S HOME,
MANDYA
CHILDREN'S HOME
RAMANAHALLI, III CROSS
HOSAHALLI EXTENSION
MANDYA - 571 401
PHONE. 08232-220743.

...RESPONDENTS

(BY SRI MOHAMMED JAFFAR SHAH, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTION DIRECTING THE RESPONDENTS TO IMMEDIATELY RELEASE THE 22 CHILDREN FROM THE CHILDREN'S HOME AND RESTORE THEIR CUSTODY TO THEIR RESPECTIVE PARENTS OR LEGAL GUARDIANS AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: **HON'BLE MR JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioners, 23 in number, out of whom the 1st petitioner is the authorised representative of 22 others, are at the doors of this Court seeking a direction for immediate release of 22 children from the children home and restore their



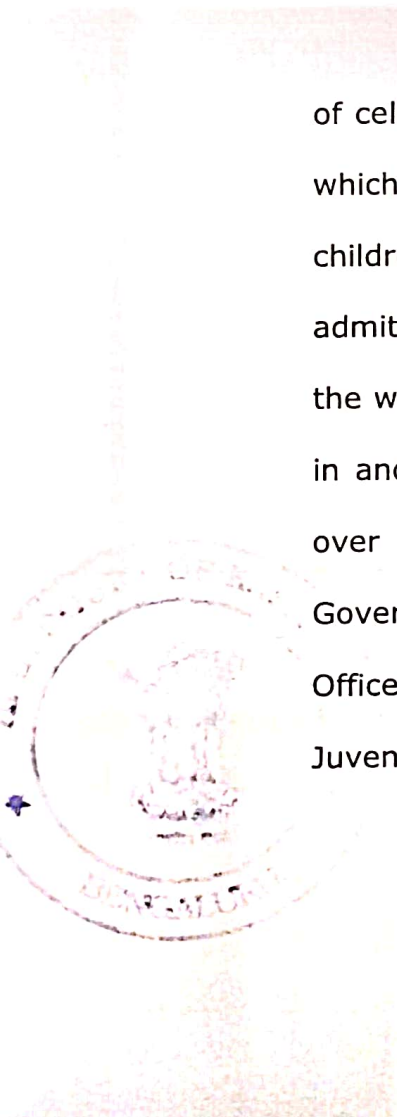


custody to their respective parents or legal guardians, as the case would be.

2. Heard the learned counsel Sri Ramamurthy along with learned counsel Sri Shyam Prasad T S appearing for the petitioners and the learned Additional Government Advocate Sri Mohammed Jaffar Shah appearing for respondents. The District Child Protection Officer Smt Rashmi S, is present before the Court and she is also heard in the matter.

3. Facts in brief, germane, are as follows:

The genesis of the problem is, on 16-3-2025 in an event of celebration of holi in a school, i.e., Gokula Educational Trust which led to an incident of food poisoning, unfortunately 2 children die on the fateful day and several children were admitted to hospital requiring immediate medical assistance. In the wake of the said incident of food poisoning, the State steps in and takes over the custody of 22 children and hands them over to the District Child Protection Officer of the State Government (hereinafter referred to as the 'Chief Welfare Officer' for short), an officer who holds the post under the Juvenile Justice Act, 2014. The police later appear to have





registered crime against the Institution for the mishap that happened on 16-3-2025, but the children remain in the custody of the Child Welfare Officer. The petitioners through the 1st petitioner, the representative of all the petitioners who are parents of children from the State of Meghalaya have presented this petition with the aforesaid prayer.

4. The learned counsel for the petitioners submits that when parents of the children are there, the children cannot be left to the mercy of the Child Welfare Officer, which would be contrary to law. He would submit that the parents, in terms of the earlier order passed by this Court have begun their journey and would reach Bangalore by tomorrow ie., on 10-04-2025. He would submit that complete custody of the children be handed over to their parents tomorrow and thereafter, all of them be permitted to travel to Meghalaya on proper identification.

5. The learned Additional Government Advocate would refute the submission contending that the children belonging to the State of Meghalaya is a matter of record. The parents who are in Meghalaya have not visited the children right from the





year 2022. The incident happens on 16-3-2025. The State had to step in and take care of the children and not leave them in the lurch due to urgent medical assistance required on account of food poisoning that happened, in which incident 2 of the children died.

6. Learned Additional Government Advocate would submit that the Child Welfare Officer would now accompany the children and hand the children over to the Child Welfare Officer of the State of Meghalaya. The Child Welfare Officer of the State of Meghalaya could identify the children on verification of records and handover the children to their parents on such verification. He would submit that requisition has been sent for sanction of funds for airlifting of 22 children along with the Child Welfare Officer and others to handover the children to the State of Meghalaya.

7. The learned counsel appearing for the petitioners would join issue to contend that the State should not publicize the issue with regard to transfer of children to Meghalaya, in the peculiar facts and circumstances of the case. The learned Additional Government Advocate would undertake that no such



press briefing or otherwise has happened or will happen till the children reach their homes safely. These submissions are placed on record.

8. In the light of the aforesaid submissions, I proceed to pass the following:

ORDER

- (i) Writ Petition stands disposed.
- (ii) The Child Welfare Officer of the State of Karnataka who is in custody of the children, shall accompany those children and handover the custody of the children to the Child Welfare Officer of the State of Meghalaya and draw a report of such handing over to the Child Welfare Officer of Meghalaya.
- (iii) It is open to the Child Welfare Officer of Meghalaya to identify the parents of the 22 children who are now being airlifted to Meghalaya and hand them over to their respective parents on diligent verification.





- (iv) The requisition sent by the State to the Juvenile Justice Board for sanction of funds for airlifting of the 22 children shall be forthwith sanctioned and no delay shall be brooked on any ground whatsoever.
- (v) The parents who would reach Bangalore tomorrow i.e., on 10-04-2025 will be permitted visitation rights to the children till the arrangements are made to airlift the children in the company of the Child Welfare Officer.
- (vi) The State shall ensure that the parents would meet the children and interact with them. It is open to the parents to travel along with the children to Meghalaya, since they would be landing in Bangalore tomorrow.
- (vii) Liberty is reserved to the petitioners to knock at the doors of this Court, in the event if need would arise in future.
- (viii) The learned counsel Sri T S Shyam Prasad is permitted to be present at the time of handing





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over the children by the Child Welfare Officer of the
State of Karnataka to the Chief Welfare Officer,
Meghalaya.



Sd/-
(M.NAGAPRASANNA)
JUDGE

Copy

[Handwritten signature]
Deputy Registrar
High Court of Karnataka
Bengaluru - 560 001
9/4/22 *[Handwritten initials]*