

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.06.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE C.T.SELVAM

H.C.P. No.1155 of 2015

Deivanayagi

... Petitioner

-v-

1.State rep. by
Inspector of Police,
Thali Police Station, Thali, Udumali,
Thirupur District.

2.The Superintendent of Police,
Thirupur District.

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Habeas Corpus directing the first respondent to produce the daughter of the petitioner Kavibarathy, aged about 16 years before this Court and to set her at liberty forthwith.

For Petitioner	:	Mr.R.Chakkaravarthy
For Respondents	:	Mr.A.N.Thambidurai
		Addl. Public Prosecutor

O R D E R

(Order of the Court was made by S.TAMILVANAN,J.)

Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor respondents.

2.This petition has been filed by the petitioner/mother of the detainee Kavibarathy, aged about 16 years, to cause production of his daughter, before this Court and to set her at liberty.

3.The alleged detainee is secured and produced before this Court by the first respondent police and her father Gnanasekaran, is also present before this Court.

4.On enquiry, the detainee told us that she is coming from her father's house and that there is no illegal detention by anybody and that she expressed her willingness to go along with her father.

5.It is seen that this petition has been filed by the mother of the alleged detainee. Filing this type of petition by any mother against the father of the detainee saying that there is illegal detention, is not proper. On the aforesaid facts and circumstances of the case, we are of the view that when specific provision and appropriate efficacious alternative remedy are available, this petition is not maintainable under Article 226 of the Constitution of India, which is an extraordinary jurisdiction of this Court.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

kal

To

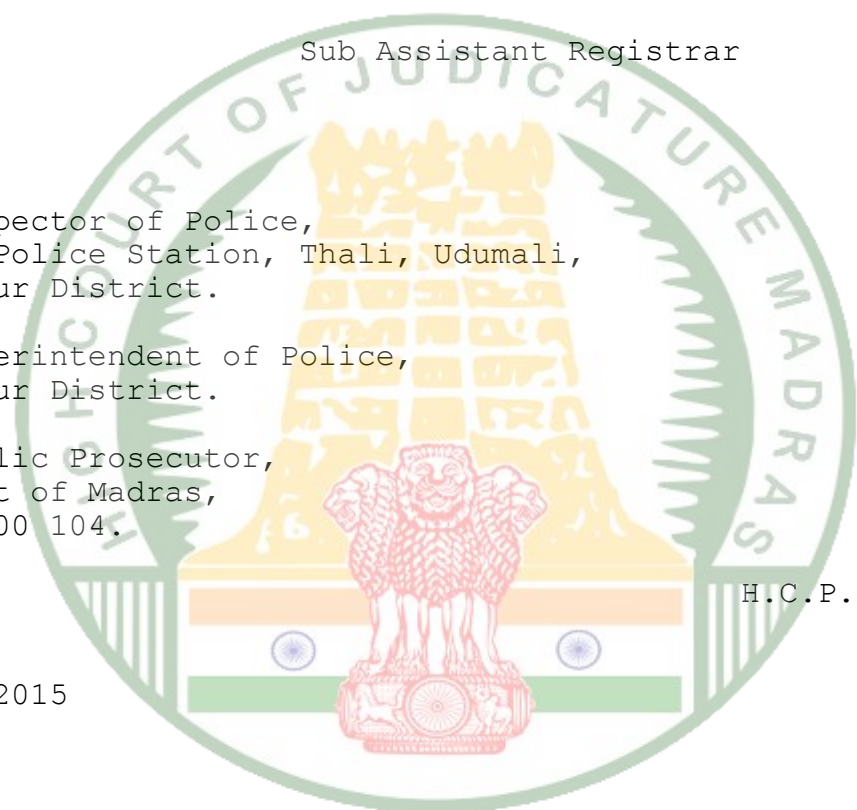
1.The Inspector of Police,
Thali Police Station, Thali, Udumali,
Thirupur District.

2.The Superintendent of Police,
Thirupur District.

3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

skv(co)
pmk.19.6.2015

H.C.P. No.1155 of 2015

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital of Ashoka in front of it. The gopuram is set against a green background with a white border. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular path around the central image. Below the seal, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

WEB COPY