

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.09.2015

CORAM

THE HONOURABLE MR.JUSTICE S.TAMILVANAN
AND
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

H.C.P. No.3731 of 2014

R.Johnson Rajkumar

... Petitioner

-v-

1.State represented by
The Inspector of Police,
Peravallur Police Station,
Chennai-600 082.

2.K.K.Awasthi

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Habeas Corpus to produce the person of the petitioner's wife Ankita Awasthi, female, aged about 25 years and daughter of the second respondent herein, before this Court.

For Petitioner	:	Mr.M.Vijaya Kumar
For Respondents	:	Mr.A.N.Thambi Durai,
		APP for R1
		No appearance for R2

O R D E R

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

This petition has been filed by the petitioner/husband of the detainee Ankita Awasthi, aged 25 years, to cause production of his wife, before this Court and to set her at liberty.

2.Learned Additional Public Prosecutor appearing for the first respondent produced a copy of the order dated 03.07.2015 passed by the Hon'ble Apex Court wherein it is seen that CrI.M.P. No.7723/2015 in Transfer Petition (CrI.) No.86 of 2015 has been filed by the detainee herein and in which the Hon'ble Apex Court has held as follows:

"In the circumstances, we are of the opinion that nothing survives in the writ petition being HCP. No.3731 of 2014 on the file of the High Court of Madras. We, therefore, direct that the same be dismissed. It is open to the parties to

work out their rights and remedies in accordance with law before the appropriate Court."

3.In view of the above observation made by the Hon'ble Apex Court, we are of the view that this petition is liable to be dismissed, as the same is not legally maintainable and as there is no question of illegal detention by anybody

4.In view of the endorsement made by the learned counsel for the petitioner, this petition is dismissed as not pressed. Accordingly, this petition is dismissed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

vga

To

1.State represented by
The Inspector of Police,
Peravallur Police Station,
Chennai-600 082.

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

kgk(co)
pmk.6.10.2015

H.C.P. No.3731 of 2014

सत्यमेव जयते

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