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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 31.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P(MD)No. 1274 of 2015

Kannan

.. Petitioner

Vs.

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Sub-Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.
- 3.Ananthaprabhu
- 4.Sudalaimaadan
- 5.Santhanamari

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the respondents to produce the body or person of his minor son namely Jeyamarrish, S/o. Kannan, aged about 6 years, before this Court and grant his custody to the petitioner.

For Petitioner	: Mr.C.Christopher
For RR 1 & 2	: Mr.K.S.Duraipandian
	Additional Public Prosecutor.
Respondents 3 to 5	: No appearance

ORDER

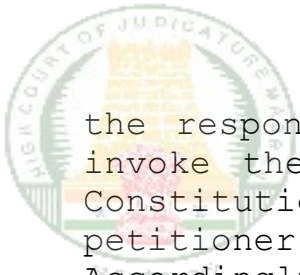
[Order of the Court was made by S.NAGAMUTHU,J]

The petitioner is the father of the child by name, Jeyamarrish, aged about 6 years. At the time of the delivery of the child, his mother passed away. It is alleged by the petitioner that the child, was all along in his custody. The third respondent is the maternal uncle of the child and the respondents 4 and 5 are the grandparents of the child. Now, the child is in their custody. Seeking production of the child and custody of the child, the petitioner has come up with this petition.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2. We are not ordered notice to the

<https://hcservices.hcscservices.com>

3. In our considered view, the custody of the child with



the respondents 3 to 5 cannot be stated to be illegal so as to invoke the jurisdiction of this Court under Article 226 of the Constitution of India. The dispute is purely civil in nature. The petitioner shall work out his remedy before the Civil Court. Accordingly, this Habeas Corpus Petition is dismissed.

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sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

pjl/gcg

To

1. The Superintendent of Police,
Thoothukudi District, Thoothukudi.
2. The Sub-Inspector of Police,
Tiruchendur Police Station, Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+one cc to M/s.C.Christopher, Advocate in SR.NO.50719

ORDER MADE IN
H.C.P (MD) No.1274 of 2015
31.08.2015

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