



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.11.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Habeas Corpus Petition (MD) No.1619 of 2015

K.S.Easwaran

... Petitioner

Vs.

1.The Superintendent of Police,
Theni District, Theni.

2.The Deputy Superintendent of Police,
Andipatti Sub Division,
Andipatti, Theni District.

3.The Inspector of Police,
Andipatti Police Station,
Andipatti, Theni District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents 1-3 to produce the body and person of petitioner's son namely, ABISHEK S/o.K.S.Easwaran aged about one and half years and hand over the custody of son to the petitioner.

For Petitioner	: Mr.P.Senguttu Arasan
For Respondents	: Mr.R.Ramachandran, Additional Public Prosecutor.

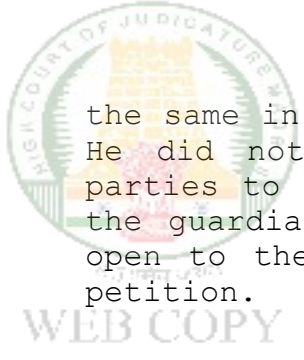
ORDER

(Order of the Court was made by V.RAMASUBRAMANIAN,J.)

The father of an infant boy aged about 18 months has come up with the above Habeas Corpus Petition seeking a direction to the respondents to produce his child.

2.Heard Mr.P.Senguttu Arasan, learned counsel for the petitioner, Mr.R.Ramachandran, learned Additional Public Prosecutor for the official respondents and Mr.R.Karunanithi, learned counsel appearing for the maternal grandparents of the infant.

3.It appears that the infant's biological mother died in the year 2013. In the year 2014, the petitioner filed G.W.O.P.No.39 of 2014 on the file of the Principal District Court, Theni under Guardians and Wards Act, 1890 for the custody of the minor child. That petition is still pending. The petitioner has not even chosen to make a mention about



the same in the affidavit filed in support of the Habeas Corpus Petition. He did not even implead the maternal grandparents of the infant as parties to this petition, though he has impleaded them as respondents in the guardian petition. Therefore, this petition is dismissed leaving it open to the petitioner to work out his remedies only in the guardian petition.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Theni District, Theni.

2.The Deputy Superintendent of Police,
Andipatti Sub Division,
Andipatti, Theni District.

3.The Inspector of Police,
Andipatti Police Station,
Andipatti, Theni District.

+1cc to Mr.R.Karunanithi, Advocate SR.No.66714

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