

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**TUESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.26791 of 2015

Between:

Smt. Rangamma, W/o. Dasharath,
Aged about 40 years,
Occ: Vegetable Vendor,
R/o. H.No., Rajivgandhi Nagar,
Near Dammaiguda,
Hyderabad.

.. Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary,
Women & Child Welfare Department,
Secretariat, Hyderabad & 3 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.26791 of 2015

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ORDER:

The petitioner alleges that the 4th respondent illegally kept the male child of the petitioner by name Mahesh, aged 17 years, in an illegal custody and is not allowing access to the petitioner. According to the petitioner, the child's health condition is very bad and requires immediate medical attention. Alleging that access to the child is not given to the petitioner and that the 4th respondent is threatening her with dire consequences, this writ petition is filed.

2. Believing the version of the petitioner as true, this Court directed the Project Director, Women and Child Welfare, Hyderabad (3rd respondent) to take necessary steps for restoring the custody of the child and the Court directed to file a report to this extent. Accordingly, the report is filed. The report discloses that no such person is living with the 4th respondent. The 4th respondent is the Superintendent of the Government Maternity Hospital, Petlaburz, Hyderabad, and her husband is an IPS Officer. According to the statement of the 4th respondent,

in fact the petitioner used to visit the 4th respondent stating that a male child was born to her in the Government Maternity Hospital, but on verification of the records of the hospital, no such child was stated to have been born and it was found that

the petitioner is psychologically disturbed and approached the hospital many times. Written statements were recorded from the watchman to the cook. They have deposed in their written statements that there was no person by name Mahesh with an age of 17 years seen in the house of the 4th respondent. The Project Director also visited the Government Maternity Hospital and enquired with the staff and the staff informed that the petitioner used to visit the hospital searching for his son and that she is a psychologically disturbed lady. The written statements of the staff were also obtained by the Project Director. According to the claim of the petitioner, the male child was born in the year 1998. Therefore, the Project Director also caused the verification of the Maternity Hospital records to find out whether any such child was born during that period to a lady having same name and found that there is no record showing the name of Smt. Rangamma giving birth to a male child in the hospital during that period. The report, therefore, discloses that a false complaint is made and unnecessarily, the 4th respondent and her family members are harassed. There is no justification in the claim. It is a frivolous petition. The writ petition is liable to be dismissed with exemplary costs. However, taking lenience in view of reported health condition of the petitioner, no costs are imposed.

3. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 22nd September, 2015

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HON’BLE SRI JUSTICE P.NAVEEN RAO

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