

In the High Court of Judicature at Madras

Dated: 27.01.2016

Coram

The Honourable Mr.JUSTICE R.SUDHAKAR

and

The Honourable Mr.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.2372 of 2015

S.Syed Shainsha

..Petitioner

Vs.

1. The Commissioner of Police,
Chennai City.
2. The Inspector of Police,
M-5, Ennore Police Station,
Chennai.
3. Thiru.Ganesan
4. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 28.
5. The Deputy Inspector General of Registration,
Chennai Zone, No.28, Rajaji Salai,
Chennai - 1.
6. The Principal Secretary to Government,
Commercial Taxes and Registration
Department, Fort St. George,
Chennai - 600 009.

(R4 & R5 are Impleaded Suo Motu
as per the Order Dated 26.11.2015
made in HCP.NO.2372/15)

(R6 is Impleaded Suo Motu as per the Order
Dated 21.12.2015 made in HCP.2372/15)

.. Respondents

PETITION under Article 226 of The Constitution of India
praying for the issuance of a Writ of Habeas Corpus directing
the second respondent herein to produce the body of the
petitioner's wife, namely, Priyanka, wife of Syed Shainsha, aged

about 24 years, before this Court and set her at liberty.

For Petitioner : Mr.S.Mohamed Ansar
For Respondents : Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

(Order of the Court was made by P.N.PRAKASH,J.)

This Habeas Corpus Petition is filed by the husband of the detinue seeking direction to the respondents to produce the detinue, Priyanka, before this Court and set her at liberty.

2. It is the case of the petitioner that he was in love with the detinue and married her on 04.06.2015 before Sub-Registrar Chennai North, vide Registration No.1960 of 2015. The allegation of the petitioner is that on 06.06.2015, the third respondent, father of the detinue, and his henchmen trespassed into the house of the petitioner and threatened him with dire consequences. Hence, the detinue went along with the third respondent. The petitioner also states that the third respondent threatened him by stating that if the petitioner would prefer complaint, the third respondent would terminate the life of the petitioner and his wife. Subsequent to that, the petitioner made a call to the detinue. Since the detinue did not respond, the petitioner preferred a complaint before the second respondent to secure the detinue from the third respondent. As the second respondent did not initiate any action to secure the detinue, the present Habeas Corpus Petition has been filed.

3. Since there are lots of inconsistencies and discrepancies in the documents filed in support of the marriage, we are not inclined to issue a Writ of Habeas Corpus as prayed for by the petitioner, as we are not convinced of the marriage certificate that has been produced by the petitioner in the light of the judgment of a Division Bench of this Court in the decision reported in 2014 (6) CTC 129 (S.Balakrishnan Pandiyan V. The Superintendent of Police).

4. Accordingly, this Habeas Corpus Petition stands dismissed. However, we have passed a separate order today to tackle the menace arising out of fake marriage registrations in the Office of the Sub-Registrar, Royapuram and Joint Sub-Registrar - I, North Madras.

sl

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

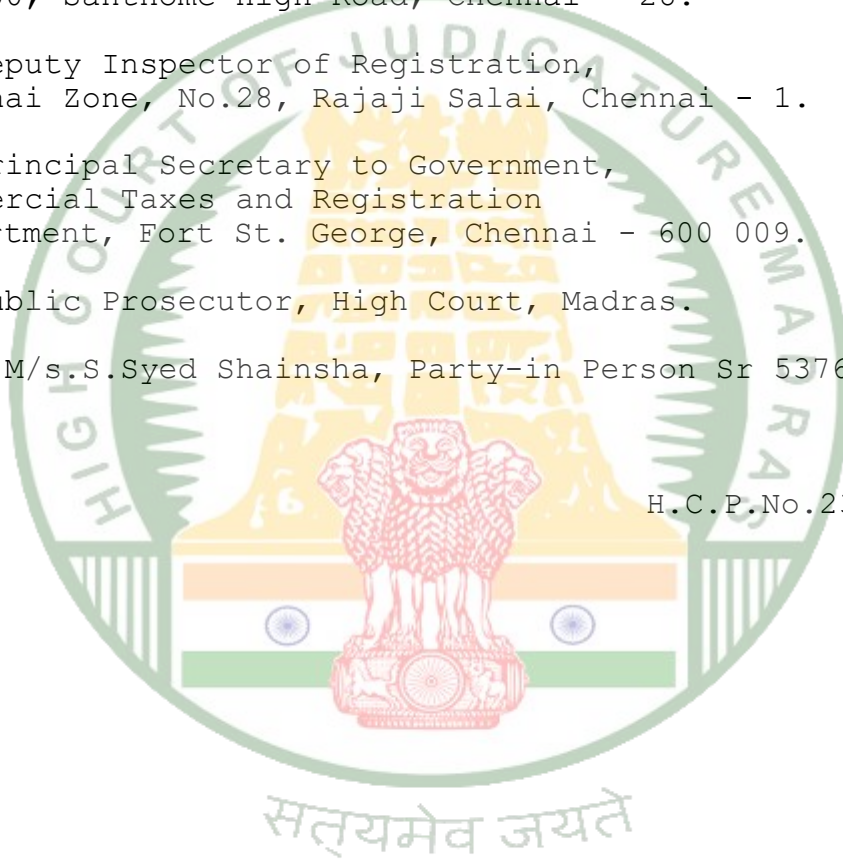
To

1. The Commissioner of Police, Greater Chennai, Vepery,
Chennai - 600 007.
2. The Inspector of Police, M5, Ennore Police Station,
Chennai.
3. The Inspector General of Registration,
No.100, Santhome High Road, Chennai - 28.
4. The Deputy Inspector of Registration,
Chennai Zone, No.28, Rajaji Salai, Chennai - 1.
5. The Principal Secretary to Government,
Commercial Taxes and Registration
Department, Fort St. George, Chennai - 600 009.
6. The Public Prosecutor, High Court, Madras.

+ 1 cc to M/s.S.Syed Shainsha, Party-in Person Sr 5376

KR/5/2/16

H.C.P.No.2372 of 2015



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