

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.05.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN
AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

H.C.P.No.1033 OF 2016

C.Latha [PETITIONER]

Vs

1.The Inspector of Police
All Women Police Station
Ambur Police Station
Vellore District.

2.G.Palani [RESPONDENTS]

Habeas Corpus petition is filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus, directing the first respondent to produce the children Sakthi @ Rajalakshmi, aged 12 years and Hariharan - ages 8 years before this Court and set them at liberty.

For Petitioner : Mr.SU.Chidambaram

For Respondents : Mr.M.F.Shabana - R1
Govt.Advocate (crl.side)

O R D E R

(Order of this Court is made by N.KIRUBAKARAN, J.)

The ex-wife of the second respondent has filed this Petition, seeking custody of their children, who have been entrusted to the second respondent, as per the order passed by the II Additional Family Court, Chennai in O.P.No.4020 of 2014.

2.The learned counsel for the petitioner would submit that inspite of the order passed by the Family Court for taking

custody of the children during vacation, the second respondent has taken away the children. Therefore, the petitioner has come forward with this Petition.

3.The contention of the petitioner cannot be sustained. It is pursuant to the orders passed by the Family Court, the custody of the children were entrusted to the second respondent. Therefore, if there is any violation of the order, it is open to the petitioner to move the Court, which passes the order.

Accordingly, the Habeas Corpus Petition stands dismissed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police
All Women Police Station
Ambur Police Station
Vellore District.

2.The Public Prosecutor High Court Madras

+1 cc to Mr.Su.Chidambaram Advocate sr.28195

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