

In the High Court of Judicature at Madras

Dated: 22.02.2016

Coram:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

H.C.P.No.145 of 2016

1.Mrs.R.Lakshmi
2.Mrs.Usha
3.Mrs.V.S.P.Radha ... Petitioners

vs.

1.The Inspector of Police,
Peravallur Police Station,
Pullianthope.
2.Mr.R.Magizhmaran
Chief Manager,
Indian Overseas Bank,
3.Mr.R.Anandhan
4.Mr.R.Thirumalai
5.Mr.R.Amuthan
6.Mrs.S.Nappinai
7.Rishiaalayam Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the first respondent to secure Mrs.Alamelu, who is aged about 76 years, from the custody of the respondents 2 to 7 and set her at liberty to lead a independent life.

For Petitioners: Ms.R.J.Radhika

For Respondents: Mr.M.R.Rajendran,Addl.P.P.for R1
Mr.M.Ravi for R2 to R4 and R6
Mr.K.B.Vivekanandan for R5
Mr.M.Vijayanand for R7-no appearance

O R D E R

(The order of the Court was made by S.NAGAMUTHY.,J)

The petitioners are the daughters of one Mrs.Alamelu, who is aged about 76 years. Respondents 2 to 5 are the sons of Mrs.Alamelu. It is stated by the petitioners that the second respondent has now kept Mrs.Alamedu in the 7th respondent Home, which is a Home for aged. Alleging that against the wishes of Mrs.Alamelu, she has been kept in the said Home, the petitioners have come up with this habeas corpus petition.

2. When this petition came up for hearing before this Court on 19.2.2016, after having heard the learned counsel on either side as well as the learned Additional Public Prosecutor, this Court permitted the petitioners to meet the deteneue, Mrs.Alamelu, in the 7th respondent Home, on 20.02.2016.

3. Today when the matter was taken up, the petitioners made appearance before this Court and they submitted that as per the said order they were permitted by the 7th respondent to meet Mrs.Alamelu and they were told by Mrs.Alamelu that she is very comfortable in the Home. The petitioners would further submit that however, they may be permitted to visit Mrs.Alamelu, during the visiting hours, in accordance with the Regulations of the 7th respondent Home, as and when they wish to meet her.

4. The learned counsel appearing for the first respondent has got no objection for the same. The same is recorded.

5. In view of the above, the habeas corpus petition is disposed of, however, with a direction to the 7th respondent Home, to permit the petitioners to meet Mrs.Alamelu, in the Home, so long as she is there, during the visiting hours, in accordance with the Regulations of the Home. It is further directed that in the event Mrs.Alamelu wants to go with these petitioners to attend any function for a day or two, the 7th respondent is at liberty to permit Mrs.Alamelu to attend the functions, taking into consideration her convenience.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

msk

To

1.The Inspector of Police,
Peravallur Police Station,
Pullianthope.

2.The Public Prosecutor,
High Court, Madras.

3.The Rishialayam,
Home for Aged,
A 63, 6th street,
Periyar Nagar,
Chennai 82.

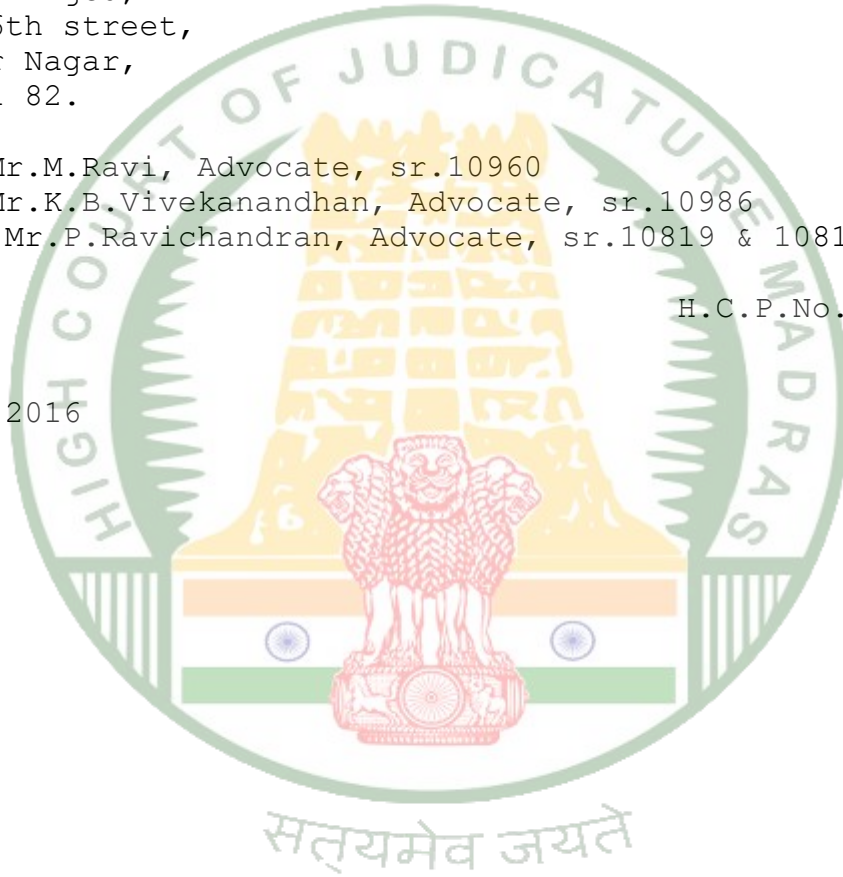
+1 cc to Mr.M.Ravi, Advocate, sr.10960

+1 cc to Mr.K.B.Vivekanandhan, Advocate, sr.10986

+3 ccs to Mr.P.Ravichandran, Advocate, sr.10819 & 10816

H.C.P.No.145 of 2016

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