

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.8.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1815 of 2016

R.Ganga

.. Petitioner

vs.

1.The State rep by
The Inspector of Police,
All Women Police Station,
Tambaram.

2. Ravi

3. Rani

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the 1st respondent to produce the petitioner's three children namely, Monisha aged about 13 years, Ravi Kumar aged about 11 years and Nisha Nanthini, aged about 9 years before this Court.

For Petitioner
For Respondents

.. Mr.S.Venkatesh
.. Mr.V.M.R.Rajentren, APP

ORDER

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

The petitioner is the mother of one Monisha aged about 13 years, Ravi Kumar aged about 11 years and Nisha Nanthini, aged about 9. The 2nd respondent is her husband and 3rd respondent is her mother-in-law. There are some dispute between the petitioner and the 2nd respondent and the petitioner is now living in her parental home and and left all the three children in a Destitute Ashramam, viz., Good Life Destitute Ashramam.

2. According to the petitioner on 19.06.2016, the 2nd and the 3rd respondent met the children in the Ashramam. Thereafter, the children were found missing from the Ashramam. Hence, she has given a complaint before the 1st respondent police. Since no action has been taken by the respondent police, the petitioner has come up with this Habeas Corpus Petition.

3. From the averments made in the affidavit, it is clear that it is only the 2nd and 3rd respondents, namely, her husband and mother-in-law has taken the children with them. Even the petitioner is not with the children and they are left only in the Ashramam.

4. We are convinced that there is no illegal detention as the detenues are living with 2nd and 3rd respondents viz., their father and grand mother.

5. Hence, the Habeas Corpus Petition is dismissed. However, it is open to the petitioner to work out his remedy before the competent civil court.

[S.N., J.] [V.B.D.,J.]
26.8.2016

To

1. The Inspector of Police,
All Women Police Station,
Tambaram.

2. The Public Prosecutor, High Court, Madras.

S.NAGAMUTHU, J.,
AND
V.BHARATHIDASAN, J.,
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