

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2016

CORAM:

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.2492 of 2013

and

M.P.No.1 of 2013

Ghouse Hameed

... Petitioner

Vs

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

2. Noor Sultana Arifunisha

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the 1st respondent from calling the petitioner to the police station often to withdraw the suit in O.S.No.208 of 2012 and thereby restrain the 1st respondent from demanding production of the Passport of the petitioner in the police station except due process of law.

For Petitioner : Mr.N.Suresh

For R1 : Mr.V.S.Ramesh
Government Advocate

For R2 : Mr.T.Velumani

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O R D E R

The petitioner sought for a direction forbearing the 1st respondent from calling him to the police station and pursuant to withdraw the suit O.S.No.28 of 2012 and further restraining the first respondent from demanding production of the Passport of the petitioner.

2. The learned counsel appearing for the petitioner would submit that the suit O.S.No.208 of 2012 is still pending on the file of the Principal District Court, seeking for restitution of Conjugal Rights with the second respondent.

3. On the contrary, the learned Government Advocate appearing for the first respondent would submit that there is no criminal complaint or any petition against the petitioner which is pending with him in connection with the matrimonial dispute.

4. It is needless to point out that when there is no criminal complaint pending with regard to matrimonial dispute, the first respondent cannot summon the petitioner or demand him for production of his passport. The learned Government Advocate also affirms that no such demand was made by the first respondent .

5. Recording the above submission made by the learned Government Advocate, no further adjudication is required. Hence this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

kkd

To

The Inspector of Police,
All Women Police Station,
Chidambaram.

+1cc to Mr.N.Suresh, Advocate, S.R.No.60490

W.P.No.2492 of 2013
and
M.P.No.1 of 2013

CA(CO)
CA(25/11/2016)