



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.R.SHIVAKUMAR

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P(MD)No.1717 of 2015

Mayandi

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District, Dindigul.

2.The Inspector of Police,
Sempatti Police Station,
Dindigul District.

3.Michael Mahesh

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the petitioner's daughter namely Thangammal aged about 21 years or her body before this Court and set her at liberty based on the representation dated 04.12.2015.

For Petitioner

: Mr.S.Sivaprakash

For RR - 1 & 2

: Mr.R.Ramachandran

Additional Public Prosecutor

For R - 3

: No appearance

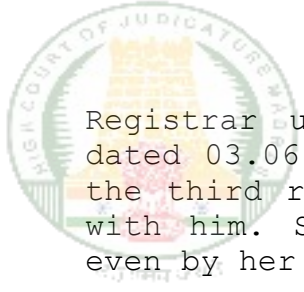
O R D E R

[Order of the Court was made by **P.R.SHIVAKUMAR**]

Mayandi, the petitioner herein has knocked at the doors of this Court with the Habeas Corpus Petition alleging that his daughter Thangammal, aged about 21 years, was missing and expressing apprehension that she would have been illegally confined by the third respondent, Micheal Mahesh.

2.Based on the complaint of the petitioner, a case was registered on the file of the second respondent in Crime No.401 of 2015. On intimation from the police regarding the filing of the present Habeas Corpus Petition, Thangammal herself has appeared in person. The petitioner, Mayandi is also present along with his counsel. There is no identity crisis. The identity of Thangammal and also the identity of the petitioner Mayandi are admitted before this Court.

3.Thangammal, on being questioned, states that she fell in love with the third respondent and they got married on 27.09.2015 under the provisions of the Indian Christian Marriage Act, 1872. She has also produced a certificate issued by one M.Daniel Paveli, the Marriage



Registrar under the said Act, holding licence No.G.O.Ms.No.301, Home, dated 03.06.2011. Thangammal states that she, on her own volition, chose the third respondent to be her husband and she is leading a family life with him. She has taken a stubborn stand that she cannot be compelled even by her father to go with him.

4.The above said statement of Thangammal is recorded. Thangammal has also produced a copy of transfer certificate to show that she was born on 21.04.1993. In fact, the petitioner has also admitted that Thangammal is a major. Thangammal, being a major, can take her own decision as to how to lead her life. We do not find any substance in the Habeas Corpus Petition and the same deserves to be dismissed.

5.Accordingly, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police, Dindigul District, Dindigul.
- 2.The Inspector of Police, Sempatti Police Station,Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+one cc to Mr.S.Sivaprakash, Advocate in SR.NO.634

mj

CSL/SK-SKN/22.01.2016/2P/5C

H.C.P (MD) No.1717 of 2015
05.01.2016