

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B.BHOSALE
AND
HON'BLE SRI JUSTICE P.NAVEEN RAO**

WRIT PETITION No.16655 of 2016

Date: 30.06.2016

Between:

Saripella Venkata Rama Krishnamraju,
S/o Ganapathi Raju, Aged about 40 years,
Hindu, Pvt.Employee, R/o H.No.2-12,
Pothukurru (V), Inavilli Mandal, East Godavari
District, presently at 1950 Golview Dr.Apt.106,
Troy, Michigan.

..... Petitioner

And

State of Andhra Pradesh, rep.by its Secretary,
Home Department, Secretariat, Hyderabad
and others

.....Respondents

The Court made the following:

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND**

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.16655 of 2016

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PC: (Per the Hon'ble the Acting Chief Justice Dilip B.Bhosale)

This Habeas Corpus petition is filed by father seeking production of his 1½ year old daughter Aradhya Varma Saripella. It is alleged that his daughter is in illegal custody of respondent no.4 –mother-in-law. In view thereof, on last occasion, we had issued notice to respondent no.4.

2. Today respondent no.4 as well as the wife of petitioner Smt. Saripella Anuradha are present in the Court. They have also brought the child Aradhya Varma to the Court. We are informed that petitions are pending in the Family Court at Amalapuram of West Godavari District filed by the father for divorce. Child is with the mother. In view thereof, it cannot be said that his daughter Aradhya Varma is in illegal detention of the respondent no.4. Petition, therefore, deserves to be dismissed. Order accordingly.

3. Learned counsel for the petitioner at this stage submits that petitioner may be allowed to meet his daughter Aradhya at least once before he files any petition in the Family Court for custody/access. The wife of petitioner Smt. Anuradha states that she has no objection for allowing the petitioner to meet Aradhya tomorrow and day after tomorrow in Visakapatnam at their residence.

4. Hence, we pass the following order:

“4.1. Petitioner is allowed to meet the child Aradhya on 1.7.2016 (Friday) at the residence of his wife in Visakapatnam between 4.00 PM and 6.00 PM and on 2.7.2016 (Saturday) between 10.00 AM

and 12.00 noon. It is made clear that petitioner is allowed to meet his daughter Aradhya in the presence of respondent no.4 or in the presence of his wife – Smt.Anuradha.

4.2. Petitioner is allowed to meet the child as aforementioned with his mother Smt Suryakumari.

4.3. It is open for the petitioner to file application in the Family Court for appropriate relief insofar as the child is concerned. ”

Miscellaneous petitions if any pending shall stand closed. No costs.

DILIP B. BHOSALE, ACJ

P.NAVEEN RAO, J

Dt. 30.06.2016

Kkm/tvk

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