

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 18418 of 2016

ORDER:

The present writ petition came to be filed seeking issuance of writ of Mandamus declaring the action of respondent Nos.2 and 3 in attempting to forcibly remove the minor girl by name Salma Fatima @ Alina, from the custody of the petitioners in the presence of an injunction order granted by the Addl. Family Court, Hyderabad, in I.A.No.360 of 2016 in O.P.No.478 of 2016, as illegal and arbitrary.

Learned counsel for the petitioners mainly submits that though there is an interim order, the respondent-police have high handedly made an attempt to violate the order on 03.06.2016. He submits that in view of the above, suitable action may be initiated against respondent Nos.2 and 3 who came to the residence of the petitioners and demanded them to produce the minor girl so as to hand over her as per the orders of the District Collector. If really, the petitioners have violated the orders as alleged there is remedy available to the petitioner, since the proceedings in O.P.No.478 of 2016 are pending before the concerned Court. Even otherwise if the petitioners were treated badly by respondent Nos.2 and 3 violating the order dated 03.06.2016, the petitioner can file private complaint or lodge a report against respondent Nos.2 and 3 seeking appropriate action. Definitely, this Court, in this present writ

petition cannot pass any orders or grant relief as sought for by the petitioner, where an alternative remedy is available to the petitioner.

Hence giving liberty to the petitioner to avail remedy, the present writ petition is disposed of.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

**JUSTICE C. PRAVEEN
KUMAR**

10.06.2016,
vhb