

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.25364 of 2016

ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

By way of this writ petition, Hymad Hussain @ Manan, the petitioner, seeks a writ of habeas corpus to produce his wife, K.T. Manasa Kumari, before this Court and to set her at liberty forthwith.

In the body of the affidavit, the petitioner stated that he had converted to Hinduism and married K.T. Manasa Kumari on 12.04.2016 by way of an Aryasamaj marriage. According to him, his wife was forcibly taken away from the marital home at the instance of the respondents 7 to 9 herein. He therefore sought production of his wife before this Court so as to set her free.

Counter-affidavit was filed by the 9th respondent, the father of K.T. Manasa Kumari, stating to the effect that the petitioner had nothing to do with his daughter and that his daughter was living with him happily.

In the light of the diverse stands taken by the parties, this Court, by order dated 30.08.2016, directed the 9th respondent to produce his daughter before this Court on 06.09.2016.

Today, in camera proceedings were held at 02:00 P.M in Chambers and K.T. Manasa Kumari, the alleged detenu, appeared before us. Upon confirming her identity through photo identity proof, we interacted with her and she stated that she had no interest in the petitioner who was known to her but was pressurizing her by black mailing tactics. She further stated that she belongs to Kerala State and is presently residing with her father at Kannur in Kerala. She categorically stated that she was

not being detained at her parents' home against her will and that she was not being tutored to say anything against the petitioner.

As K.T. Manasa Kumari is shown to be a major of 22 years, as per her Adhar card which records the year of her birth as 1994, and as we see no evidence of her being intimidated into saying anything against her will, we find no proof of her detention, let alone illegal detention, warranting issuance of a writ of habeas corpus.

The Writ Petition is accordingly dismissed. No order as to costs.

SANJAY KUMAR, J

M. SEETHARAMA MURTI, J

06.09.2016
Vjl

