

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

WRIT PETITION No.15097 of 2016

09.06.2016

Between:
O. Divya Bharathi,
Vijayawada.

... Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Home Department,
Hyderabad and others.

... Respondents

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

-
WRIT PETITION No.15097 of 2016

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

This petition is filed by Smt. O. Divya Bharathi seeking production of her three children, who according to her are illegally detained by respondent Nos.7 to 11. Respondent No.7 is her husband.

Sri Anirudh Reddy, learned counsel for respondent No.7, submits that the children are with respondent No.7 since December, 2015. He further submits that a petition for custody being G.W.O.P.No.3 of 2016 is pending before I Additional District Judge, Ongole.

In view thereof, we are not inclined to entertain the instant Habeas Corpus Petition keeping it open to the petitioner to file appropriate proceedings/application before the Family Court for appropriate relief. It is needless to mention that if the petitioner makes any application either in the pending proceedings or files independent proceedings, the Family Court shall consider the same on merits in accordance with law and uninfluenced by the observations made in this order. All contentions of the parties on merits are kept open.

Writ Petition is accordingly dismissed.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

P.NAVEEN RAO, J

Date: 09.06.2016

va