

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.03.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

and

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P No.366 of 2017

Mathiganesan ... Petitioner

Vs

1. State rep by
The Director General of Police,
Kamarajar Salai, Mylapore,
Chennai-600 004

2.The Superintendent of Police,
Coimbatore,
Coimbatore District

3.The Inspector of Police,
Kottur Police Station,
Coimbatore District.

4.Muthuprakash ... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the respondents to produce the body of the petitioner's wife Manimegalai W/o.Mathiganesan, aged about 32 years, before this Court.

For Petitioner : Mr.G.Anbuchezeheian
For respondents: Mr.V.M.R. Rajendran
Addl. Public Prosecutor
for R1 to R3

ORDER

(Order of the Court was made by S. NAGAMUTHU,J.,)

The petitioner is the husband of one Mrs.Manimegalai, aged 32 years. They have two children. The detainee was found missing from 17.10.2016 onwards. The petitioner's complaint to the police, according to the petitioner, has not evoked any response. Therefore, he has come up with this habeas corpus petition.

2. When the habeas corpus petition came up for hearing on 13.3.2017, we passed the following order:

"The petitioner is the husband of one Mrs.Manimegalai. They have got two children, aged about 10 years and 8 years respectively. According to the petitioner, Mrs.Manimegalai was found missing from 29.09.2016. Therefore, the petitioner has come up with this Habeas Corpus Petition.

2. Today, Mrs.Manimegalai appeared before us. She told that she is very much available with her brother and she is staying with him.

3. There is some domestic issues between the petitioner and his wife. She, for the present, refused to go with the petitioner.

4. Having regard to the larger interest of the family, when we suggested to them to go to Mediation, they agreed for the same.

5. Therefore, the Registry is directed to place the papers before the Mediation and Conciliation Center, High Court, Madras. The parties are directed to appear before the Mediation and Conciliation Center, High Court, Madras, today itself at 3.30 p.m.

6. The Registry shall list the Habeas Corpus Petition, after the receipt of report from Mediation and Conciliation Center, High Court, Madras."

3. Today, the petitioner and the detinue have appeared before us, along with the children. The detinue told us that she is not willing to live with the petitioner and she wanted to go according to her own wish. The same is recorded. In view of the same, no further relief could be granted to the petitioner. Accordingly, this Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai-600 004

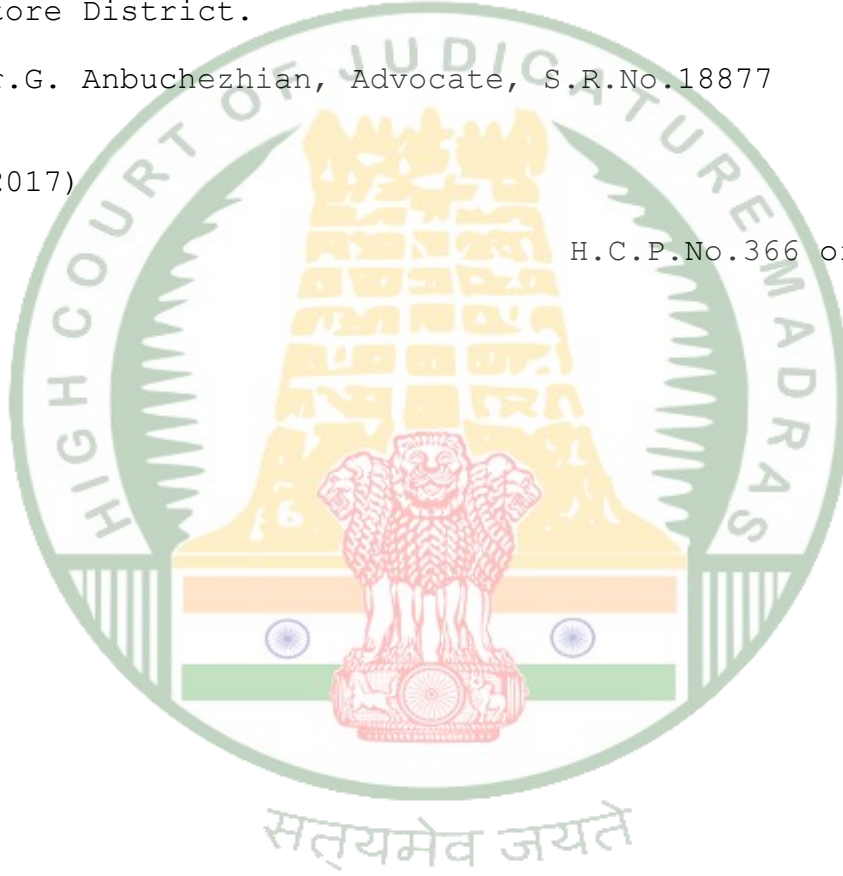
2.The Superintendent of Police,
Coimbatore,
Coimbatore District

3.The Inspector of Police,
Kottur Police Station,
Coimbatore District.

+1cc to Mr.G. Anbuchezhian, Advocate, S.R.No.18877

ca(CO)
md(10/04/2017)

H.C.P.No.366 of 2017



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