



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.[MD].No.1740 of 2017

WEB COPY

S.V.Elangovan

: Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superannuation of Police,
Tuticorin District, Tuticorin.

2.The Inspector of Police,
Central Police Station,
Tuticorin District, Tuticorin.

3.P.Karthick @ Annapoorani

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the petitioner's daughter, namely, E.Shanthi Priya, D/o.S.V.Elangovan, aged 20 years, before this Court and set her at liberty.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents 1&2 : Mr.C.Ramesh

Additional Public Prosecutor

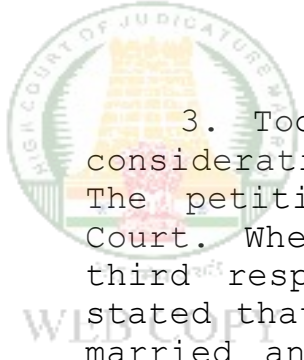
For Respondent No.3 : No Appearance

O R D E R

[Order of the Court was made by R.SUBBIAH, J.]

The present Habeas Corpus Petition has been filed by the father of the detenu, seeking a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu, namely, E.Shanthi Priya, D/o.S.V.Elangovan, aged 20 years, before this Court and set her at liberty.

2. According to the petitioner, his daughter, the detenu herein, was studying Nursing Diploma Third Year in Rajiv Gandhi Hospital, Chennai. The third respondent is a practising doctor at Tuticorin Government Hospital. From 19.04.2017 onwards, his daughter was found missing. In this regard, the petitioner made a complaint before the second respondent. Since no effective steps were taken by the second respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.



3. Today, when the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenu. The petitioner and the third respondent were also present in Court. When we enquired the petitioner, he has stated that the third respondent is a transgender. On enquiry, the detenu has stated that she and the third respondent fell in love and they got married and the detenu has also become pregnant and thereafter, due to some problems, she had aborted the foetus. The detenu has specifically stated that the third respondent is not a transgender. The detenu has further stated that she is a major and she is not willing to go along with her father.

4. On enquiry, the third respondent has also stated that he is not a transgender. He has further stated that he was having some psychiatric problem and due to treatment given to him, it was cured.

5. In view of the above, since the detenu is not in illegal custody, in our considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Tuticorin District, Tuticorin.

2.The Inspector of Police,
Central Police Station,
Tuticorin District, Tuticorin.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.T.Lajapathi Roy, Advocate SR.No. 94109

ORDER MADE IN
H.C.P.[MD].No.1740 of 2017

NB