



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

CORAM

THE HON'BLE MR.JUSTICE R.SUBBIAH

AND

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P(MD)No.1743 of 2017

D.Mettilda Ponrajathi

...Petitioner

-VS-

1. The Inspector of Police,
Koodal Nagar Police Station,
Koodalnagar,
Madurai.

2.M.Doric

3.Santhi Gunaraj

...Respondents

Prayer: This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus, directing the first respondent to produce the body of the petitioner's ten years old daughter Tara shiny before this Court and hand over the minor girl to the petitioner.

For Petitioner : No appearance

For R-1 : Mr.C.Ramesh
Additional Public Prosecutor.

For R-2 and R-3 : Mr.K.R.Laxman

O R D E R

(Order of the Court was made by **R.SUBBIAH, J**)

The petitioner is the mother of the detenu, namely, Tara Shiny, aged 10 years, and the 2nd respondent is her husband. Due to matrimonial dispute, they got separated. While so, it is the contention of the petitioner that her daughter was taken by the 2nd respondent, during August 2016. Since she was illegally taken by the 2nd respondent, the petitioner lodged a complaint to the respondent police. Since no effective steps were taken to secure the detenu, the petitioner is before this Court with this petition.



2. When the matter was taken up for consideration on 14.12.2017, since the dispute is with regard to the custody of the child, we referred the matter to the Mediation and Conciliation Centre to arrive at an amicable settlement. Since the mediation process failed, the matter is listed before this Court today.

3. Today, when the matter was called initially, the learned counsel for the petitioner was not present. Again it was called at 11.45 a.m., at that time also, he was not present. The learned Additional Public Prosecutor and the learned counsel for the respondents 2 and 3 were present. The 2nd respondent was also present.

4. Since the dispute is with regard to the custody of the child, this petition is closed with liberty to the petitioner to work out her remedy before the appropriate forum.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The Inspector of Police,
Koodal Nagar Police Station,
Koodalnagar,
Madurai.

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

+ 1 cc TO Mr.M.Patturajan , Advocate in SR No. 94891
+ 1 cc TO Mr.K.R.Laxman , Advocate in SR No. 94487

RR
AE/SKN RSK/SAR4/22.01.2018/2P/5C

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