



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.06.2017
CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

H.C.P (MD) No.724 of 2017

J.T.Maria Clitus : Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District.
Nagercoil.

2.The Sub Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

3.N.Subbaiah

4.Kanagam : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus petition, to direct in the nature of Writ for producing the person or body of the petitioner's minor sons M.C.Brijesh Immanuel, aged fourteen years and M.C.John Rijinesh, aged twelve years before this Court.

For Petitioner	: Mr.J.John Jayakumar
For Respondents	: Mr.C.Ramesh
	Additional Public Prosecutor
	for R.1 and R.2
	: No appearance
	for R.3

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

This petition has been filed for producing the minor boys, who are the sons of the petitioner. When the case came up before the vacation Court on 17.05.2017, notice was ordered and today, the respondent police have produced the minor boys.

2. We find from the record of proceedings that the petitioner has moved the District Court, Kanyakumari District at Nagercoil, under Section 7 of Guardian and Wards Act VIII of 1890, in G.W.O.P. No.29 of 2017 and has secured certain orders. Thus,



by way of executing the said order, the present Habeas Corpus Petition has been filed. Thus, we expressed in uncertain terms to the learned counsel for the petitioner that the Habeas Corpus Petition is liable to be dismissed with exemplary cost.

3. Since, the minor boys were produced before the court, we have spoken to them and they appear to be happy with the third and fourth respondents, who are their maternal grandfather and grandmother and they are pursuing their education at Chennai. Faced these situation, the petitioner seeks permission of this Court to withdraw the Habeas Corpus Petition and he has also made an endorsement to that effect.

4. Recording the same, this Habeas Corpus petition is dismissed as withdrawn.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police,
Kanyakumari District.
Nagercoil.

2.The Sub Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

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

Tsg/ssl

RL/4C/2P/JC/SAR1/16/6/2017

ORDER MADE IN

H.C.P (MD) No.724 of 2017