



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2017

CORAM:

**THE HONOURABLE MS.INDIRA BANERJEE, THE CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**

H.C.P(MD)No.900 of 2017

T.Sermadas

... Petitioner

Vs.

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Inspector of Police,
Moolakkarappatti Police Station,
Tirunelveli District.
3. T.Murugesan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the corpus or bodies of the petitioner's wife, namely, Madathi @ Jeya, wife of Sermadas, aged 32 years, and minor daughter, namely, Gobiya Suji, daughter of Sermadas, aged 7 years, before this Court by rescuing them from the illegal custody of the third respondent and set them at liberty.

For Petitioner : Ms.Akarathi

For Respondents : Mr.T.Mohan

Additional Public Prosecutor for R.1 & R.2

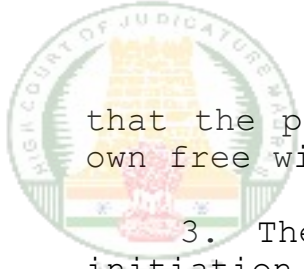
ORDER

(Order of the Court was made by The Hon'ble The Chief Justice)

In this writ petition, the petitioner sought for a writ of Habeas Corpus directing the respondents 1 and 2 to produce his wife, Madathi @ Jeya, aged 32 years and his minor daughter, Gobiya Suji, aged 7 years, after rescuing them from the alleged illegal custody of the third respondent, who is the brother of the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

2. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submits that on enquiry, it has been ascertained



that the petitioner's wife eloped with the third respondent on her own free will and volition.

3. The remedy, if any, of the petitioner, lies by way of initiation of appropriate proceedings before the Family Court/District Court for access to or custody of the minor child.

4. This writ petition is without merit and the same is dismissed.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Inspector of Police,
Moolakkarappatti Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RSB
TE/MR-KKR/SAR-III : 05/07/2017 : 2P/4C

ORDER MADE IN
H.C.P (MD) No.900 of 2017
21.06.2017