

**THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE M.S.K. JAISWAL**

WRIT PETITION No.18689 of 2017

DATE: 05.07.2017

Between:

Karnala Rajeswari

....Petitioner

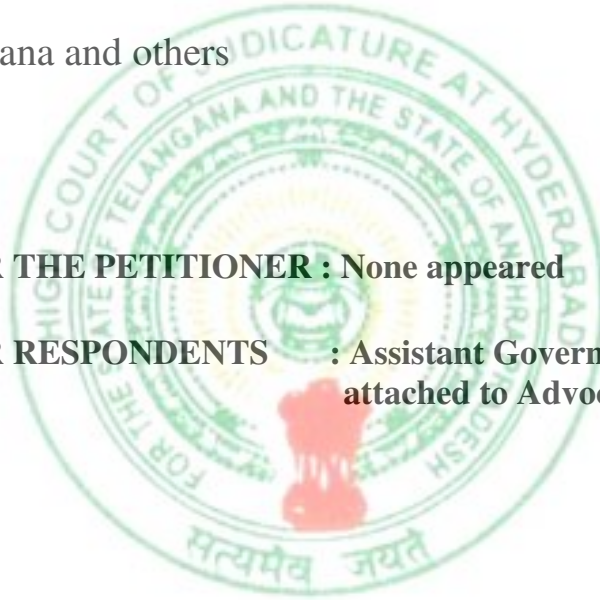
and

State of Telangana and others

....Respondents

COUNSEL FOR THE PETITIONER : None appeared

**COUNSEL FOR RESPONDENTS : Assistant Government Pleader
attached to Advocate General (TS)**



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AND
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ORDER: (Per the Hon'ble Sri Justice C.V. Nagarjuna Reddy)

This writ petition is filed for issuance of Habeas Corpus directing the respondents to produce the petitioner's husband, Karnala Sathaiah, Son of Narsaiah, before the Court and set him at liberty.

Respondent No.3 filed a counter-affidavit wherein it is *inter alia* averred that the alleged detenu is not wanted in any crime and that the question of his illegal detention from 05.06.2017 does not arise. It is further averred that the enquiry caused by respondent No.3 revealed that the petitioner's son by name, Manoj Kumar, married one Karnala Srilatha, belonging to the Scheduled Caste, on 30.10.2014 at Vemulawada Temple and subsequently, they got their marriage registered at the Sub-Registrar's Office, Mancherial. It is further averred that after their living together for a period of two years, differences arose between them and the petitioner's son left the company of his wife and started living with his parents; that with the help of women's associations, the daughter-in-law of the petitioner held agitations and met the District Collector, Mancherial, on 02.06.2017; that the petitioner's daughter-in-law got admitted in

Mancheryal hospital as she was pregnant and that after delivery of baby boy, she was not discharged from the hospital as she was suffering from ill-health and she is still in the hospital. It is also averred that the petitioner's daughter-in-law has not approached the police and lodged any complaint and therefore, the police are no way concerned with the disappearance of the petitioner's husband.

On 04.07.2017, learned Assistant Government Pleader for Home (Telangana State) on further instructions informed the Court that on 29.06.2017, the detenu came to the police station and submitted a report alleging that his house was forcibly occupied by some persons. Learned counsel representing the petitioner requested for a day's adjournment for receiving instructions in this regard. Today, at the hearing, no one represented the petitioner.

In view of the submission of the learned Assistant Government Pleader that the petitioner's husband was never in the police custody and that on the contrary, he came to the police station on 29.06.2017 and lodged a report against certain third parties which remained uncontroverted, it is reasonable to presume that the detenu is not in the custody of the police. Hence, the petitioner is not entitled to the relief claimed in this writ petition.

For the aforementioned reasons, the writ petition is dismissed.

As a sequel to dismissal of writ petition, WPMP.No.25776 of 2017 filed by the petitioner stands dismissed as infructuous.

5th JULY, 2017.

C.V. NAGARJUNA REDDY, J

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M.S.K. JAISWAL, J

