

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

WRIT PETITION No.43165 of 2016

DATED:- 03-01-2017

Between:

Telagarla Nagamani

..... PETITIONER

AND

The State of Telangana, rep.by its principal
Secretary to Home Department,
Secretariat Buildings, Hyderabad and 6 others

.....RESPONDENTS

COUNSEL FOR THE PETITIONER : Sri KARUNAKAR REDDY

COUNSEL FOR RESPONDENTS : ADVOCATE GENERAL (TG)

THE COURT MADE THE FOLLOWING:



THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

WRIT PETITION No.43165 of 2016

ORDER: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for issue of Habeas Corpus by directing respondent No.7 to produce Telagarla Mounika (for short "the detenu") in the court.

In pursuance of the notice issued by this Court, the police produced the alleged detenu and also respondent No.7. The alleged detenu has produced her Secondary School Certificate showing her date of birth as 15.01.1998, claiming that she has become major on 15.01.2016. She has further stated that she has married respondent No.7 in May, 2016 and been living with him since then. She has further stated that respondent No.7 is her husband and she wants to continue to live with him.

Though the date of birth certificate issued by the Government of Telangana, a copy of which is filed by the petitioner, shows that the alleged detenu was born on 14.01.1999, we are inclined to give higher credence to the Secondary School Certificate. At any rate, the alleged detenu will attain majority even as per the date of birth certificate produced by the petitioner in a few days from now.

Having considered the wish of the alleged detenu, we cannot force her to leave the company of respondent No.7 and join her parents.

For the afore-mentioned reasons, the Writ Petition is dismissed.

C.V.NAGARJUNA REDDY,J

M.S.K.JAI SWAL,J

Date: 03.01.2017
Dsr