

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

W.P.No. 45655 OF 2016

DATED 06TH JANUARY, 2017

Between:

S.Mahammad Isaq

... Petitioner

AND

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Department of Home,
Amaravati, Guntur District,
Andhra Pradesh, and others

... Respondents

Counsel for the petitioner

:

Sri R.Gopi Mohan

Counsel for respondent Nos. 1 to 4

:

A.G.P. for Home (A.P.)

Counsel for respondent No. 5

:

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THIS COURT MADE THE FOLLOWING

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

This Writ Petition is filed for issue of *Habeas Corpus* directing the police to produce S.Thayyaba Tanveer, the minor daughter of the petitioner, aged about 17 years, from the custody of respondent No. 5.

2. During hearing, it has come out that on the representation made by the minor girl to the Secretary, District Legal Services Committee, Anantapur, an order was passed directing handing over of custody of the minor girl to the Child Welfare Committee which, in turn, has kept the minor girl in the Child Welfare Home, Anantapur.

3. Today, a lady employee of the welfare home and respondent No. 4 have accompanied the minor girl and also produced her before the Court. We had a lengthy discussion with the minor girl and also her parents and we are convinced that the minor girl is not willing to join her parents and live with them and that she preferred to stay in the welfare home for the time being. Having ascertained the preference of the minor girl, we are not inclined to direct her custody to be handed over to her parents. Respondent No. 4 and the lady employee of the welfare home are directed to take back the minor girl and keep her in the Child Welfare Home, Anantapur, till further orders are passed by the Child Welfare Committee in accordance with law. The petitioner is, however, not precluded from filing appropriate application before the Committee for the custody of the minor girl.

4. Subject to the above directions, the Writ Petition is disposed of.

C.V.NAGARJUNA REDDY, J.

M.S.K.JAISWAL, J.

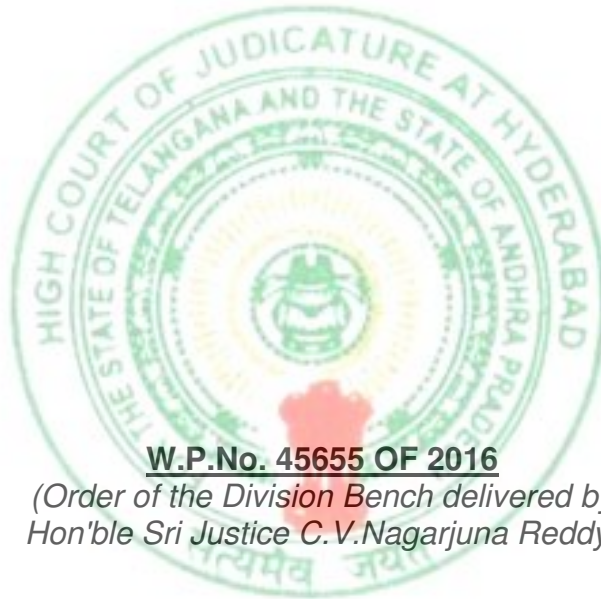
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W.P.No. 45655 OF 2016

*(Order of the Division Bench delivered by
Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

DATED 06TH JANUARY, 2017

JSK