

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

WRIT PETITION No.22306 of 2017

DATE:- 13-07-2017

Between:

D.Suresh Kumar

..... PETITIONER

AND

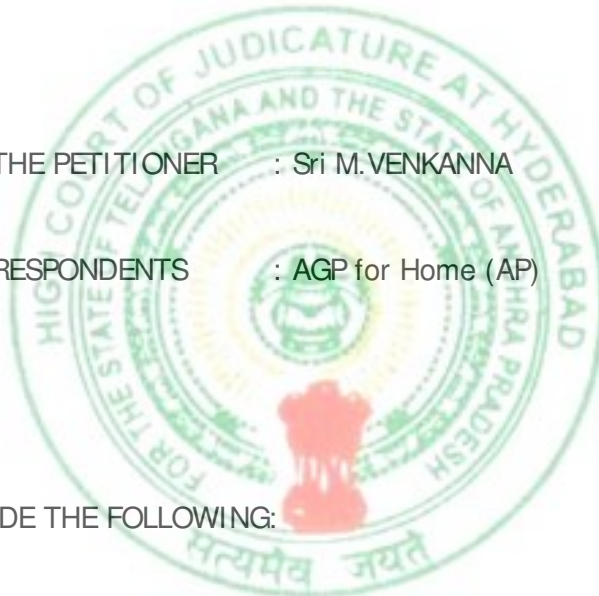
The State of Andhra Pradesh, rep.by its Principal Secretary,
Home Secretariat,
Velagapudi, Amaravathi,
Guntur District and 2 others

.....RESPONDENTS

COUNSEL FOR THE PETITIONER : Sri M.VENKANNA

COUNSEL FOR RESPONDENTS : AGP for Home (AP)

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.22306 of 2017

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

This writ petition is filed for issue of habeas corpus, directing respondents Nos.1 & 2 to produce one Kakarala Padma, W/o.Vivek, and D/o.K.Suryanarayana (for short "the alleged detenu") before the Court and set her at liberty.

On behalf of respondents Nos.1 & 2, the Inspector General of Police (Legal) A.P. filed counter affidavit, wherein he has *inter alia* averred that respondents Nos.1 & 2 police have nothing to do with the subject matter and they have not taken the alleged detenu into custody. He has further averred that on 04.07.2017 Mr.Vivek, the husband of the alleged detenu, has approached the Madras High Court by filing a writ of habeas corpus, bearing HCP No.1154 of 2017 against Tamilnadu police as well as the Director General of Police, Headquarters, Hyderabad, Andhra Pradesh.

As the husband of the alleged detenu has already moved the Madras High Court before the present writ petition is filed, we are of the opinion that two parallel remedies cannot be availed in respect of the same subject matter. Hence, this writ petition is dismissed, without adjudicating on merits of the case, with liberty to the husband of the alleged detenu to pursue HCP No.1154 of 2017, filed by him before the Madras High Court.

C.V.NAGARJUNA REDDY,J

M.S.K.JAI SWAL,J

Date: 13.07.2017
Dsr