

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.28436 of 2017

ORDER: (per SK,J)

The petitioner seeks a writ of Habeas Corpus to produce his wife, Shaik Zakira, from the illegal custody of her parents and to restrain them from interfering with his family life.

The Sub-Inspector of Police, One Town Police Station, Nellore, filed a counter-affidavit stating that enquiries revealed that the petitioner had married Shaik Zakira on 27.01.2013 and that they were blessed with a female child. Thereafter, differences arose between them and they started living separately. The matter was settled between the parties by way of a financial settlement and the husband paid Rs.1,00,000/- to the wife out of the promised amount of Rs.7,50,000/-. On enquiry with Shaik Zakira, she stated that she was not being illegally confined by anyone. She further stated that she was voluntarily staying with her parents.

Shaik Zakira independently filed an implead petition, which was ordered today, and she came on record as the sixth respondent. As she was present in person, this Court interacted with her in camera and she categorically stated that she was not being held against her will and that she was voluntarily residing with her parents.

We therefore find no cause to issue a writ of Habeas Corpus as there is no indication of illegal detention of Shaik Zakira.

The writ petition is misconceived and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

Dr. SHAMEEM AKTHER,J

Date:06.09.2017

GJ