

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

HCP. No.1930 of 2017

G.Divya

... Petitioner

-Vs-

1.The Commissioner of Police,
Chennai District,
Pantheon Road, Egmore,
Chennai-600 008.

2.The Inspector of Police,
W-30 All Women Police Station,
Poonamallee, Chennai-600 056.

3.Sakunthala

4.Karthika

5. V.C.Raja Raja Hariharan
(R5 impleaded as per the order dated 17.11.2017
in CrI.M.P.No.14410/2017)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the body of Nirutaya, Daughter of V.C.Raja Raja Hariharan, aged about 2 years before this Honble Court.

For Petitioner : Mr.M.Selvam

For Respondents: Ms.R.Prathap Kumar
Additional Public Prosecutor (R1 & R2)
: Mr.J.Thilagaraj (RR3 to 5)

ORDER

[Order of the Court by C.T.SELVAM, J.]

Petitioner, who is the mother of the detenue viz.,
Nirutaya, aged 2 years, seeks production of her daughter.

2. Heard learned counsel for petitioner, learned Additional Public Prosecutor for respondents 1 and 2 as also learned counsel appearing for respondents 3 to 5.

3. After much deliberation with the parties, this Court, on 26.02.2018, passed the following order:-

"Pursuant to our earlier order, petitioner/wife and respondent/husband were present today and informed that petitioner and respondent along with their children had been together and spent family time in Kodaikanal. Now they intend to lead a life by setting up a separate residence at Jayankondam.

The matter shall be posted on 20.03.2018 at 2.15 p.m. at Chambers."

and on 22.03.2018, we passed the following order:-

"Learned counsel on either side inform that all is well between the petitioner/wife and her husband as also the minor daughters."

4. Presently, both petitioner as also the fifth respondent/her husband are before us. They inform that all is well with them and the fifth respondent has decided not only to withdraw the divorce proceedings initiated by him, but also to take up residence in India towards the welfare of the family, which would include him as also the petitioner and the two minor daughters. Petitioner has also assured us of co-operating with the fifth respondent/her husband in every manner possible towards congenial and happy family life, particularly with a view to safeguard their two minor daughters.

5. In the above circumstances, learned counsel for petitioner seeks permission to withdraw this petition and he has also made an endorsement to that effect. Accordingly, this Habeas Corpus Petition is dismissed as withdrawn.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

kmi

To:

1. The Commissioner of Police,
Chennai District,
Pantheon Road, Egmore,
Chennai-600 008.

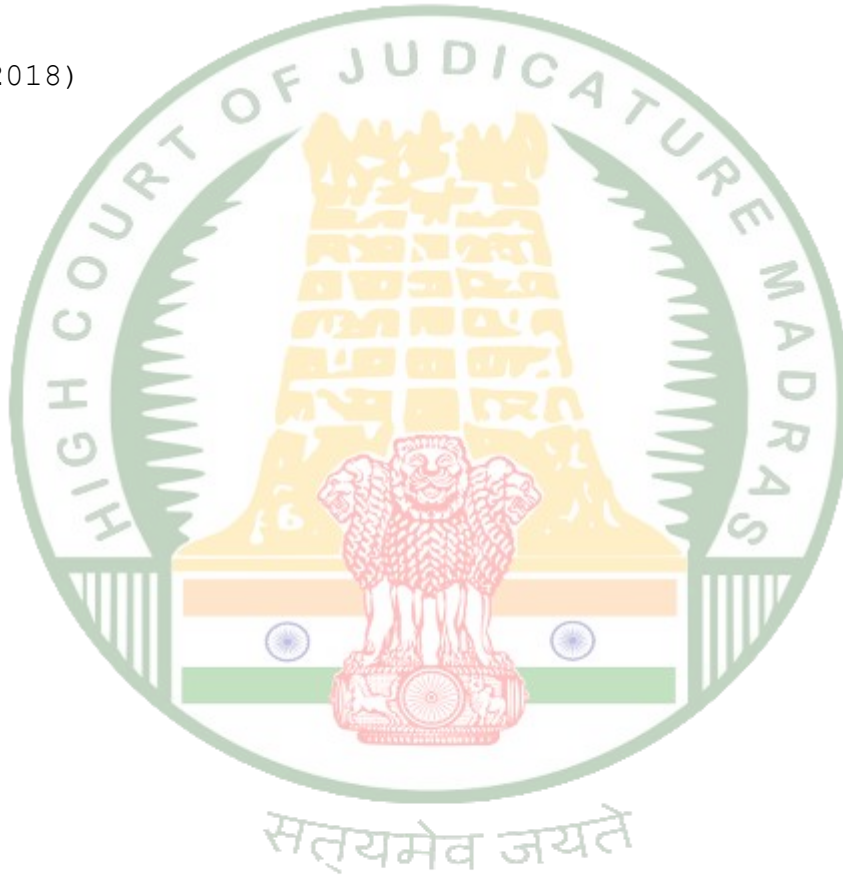
2.The Inspector of Police,
W-30 All Women Police Station,
Poonamallee, Chennai-600 056.

3.The Public Prosecutor
High Court, Madras.

+2cc to Mr.J.THILAGARAJ, Advocate, S.R.No.24197
+1cc to Mr.M.SELVAM, Advocate, S.R.No.24661

HCP. No.1930 of 2017

SJ(CO)
TR(03/07/2018)



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