

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.01.2018

Coram

THE HON'BLE MR.JUSTICE RAJIV SHAKDHER
&
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.2471 of 2017

P.Suresh

... Petitioner

Vs.

1.The Superintendent of Police
Thiruvarur District.

2.State Rep. by
Inspector of Police,
Kudavasal Police Station,
Thiruvarur District.

3.K.Baskar

.. 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 person and body of the petitioner's father Pakkirisamy and mother Saraswathi before this Court and set them at liberty.

For Petitioner : Mr.B.Ramamoorthy

For Respondents : Mr.V.M.R.Rajentran,

Addl.Public Prosecutor for R1 & R2

सत्यमेव जयते
O R D E R

(Order of the Court was made by RAJIV SHAKDHER, J)

1. Issue notice. Mr.V.M.R.Rajentran, learned Additional Public Prosecutor, accepts notice on behalf of the official respondents i.e., respondent Nos.1 and 2. In view of the order we propose to pass, for the moment, no notice is required to be issued to respondent No.3.

2. This is a petition, whereby, a direction is sought to secure the presence of the petitioner's father and mother, who are presently housed in their daughter's residence.

3. A perusal of the petition shows that there is a property dispute obtaining interse the parties. Pertinently, the petitioner avers that as regards the missing detenues, a complaint was lodged with the police on 27.10.2017. According to us, the detenues are not in illegal custody, as even according to the petitioner they are residing with their daughter and son-in-law i.e., respondent No.3.

4. Furthermore, it may be noted that Mr.V.M.R.Rajentran, learned Additional Public Prosecutor, states on instructions, that the police has not received any complaint from the petitioner.

5. In these circumstances, this petition is dismissed. The petitioner, however, will be free to pursue the aforementioned complaint, if any, filed with the police.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vsm

To

1.The Superintendent of Police
Thiruvarur District.

2.The Inspector of Police,
Kudavasal Police Station,
Thiruvarur District.

3.The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.B.Ramamoorthy, Advocate, S.R.No.194

H.C.P.No.2471 of 2017

RJ(CO)
RRK(24/01/2018)

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