

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2018

CORAM:

THE HON'BLE DR. JUSTICE S.VIMALA

AND

THE HON'BLE MRS. JUSTICE S.RAMATHILAGAM

H.C.P.No.713 of 2018

K.Dhatchayani

... Petitioner

versus

1. State of Tamil Nadu,
Rep. by its Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.
 2. The Deputy Commissioner of Police,
Law and Order,
T.Nagar, Chennai - 600 017.
 3. The Inspector of Police,
Soundarapandiyanar Angadi
Police Station,
T.Nagar, Chennai - 600 017.
 4. Ravikumar
 5. Sridharan
 6. Albert
- ... Respondents

(R4 to R6 are exonerated from this
petitioner as per the order dated 02.07.2018
made in H.C.P.No.713 of 2018)

Habeas Corpus Petition filed under Article 226 of
Constitution of India. for the issuance of Writ of Habeas
Corpus, directing the respondents 1 to 3 to produce the detenus,
viz., (1) L.Kalpana, (mentally ill person), aged 36 years and
(2) Minor L.Mritika, aged 10 years, daughter and granddaughter
of the petitioner respectively, now under the illegal custody of
the respondents 4 to 6 herein, before this Court, set them at
liberty and hand over their custody to the petitioner.

For Petitioner : Mr.P.Pugalenth

For R1 to R3 : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

(DELIVERED BY DR. S.VIMALA, J.)

produce the detenus, viz., (1) L.Kalpana, (mentally ill person), aged 36 years and (2) Minor L.Mritika, aged 10 years, i.e. her daughter and grand-daughter respectively, now under the illegal custody of the respondents 4 to 6 herein, before this Court.

2. Today, the detenues, namely, L.Kalpana and Minor L.Mritika, the daughter and the granddaughter of the petitioner, are produced before this Court.

3. The detenue L.Kalpana submits that after the death of her husband in U.S.A., she came to India and admitted her daughter L.Mritika in EBENEZER Matriculation Higher Secondary School, Kottur, Yelagiri Hills - 635 853. She is also stated to be an employed woman.

4. The petitioner/Grandmother states that the child was already studying at Vidhya Mandir School at Chennai and therefore, she must be allowed to continue her studies there.

5. However, the detenue L.Kalpana declined the request and she submits that as her child was not studying well, she changed the school and now, the child is studying well. In support of the same, she produced the school records of EBENEZER Matriculation Higher Secondary School. She further submits that she has paid a huge amount towards fees. The detenue Kalpana further stated that as the child is studying well in that school, her child must be allowed to continue at EBENEZER Matriculation Higher Secondary School at Yelagiri.

6. Considering the interest of child and also considering the progress report of the child which was produced by her mother, we feel it proper to allow the child to continue her studies at EBENEZER Matriculation Higher Secondary School at Yelagiri. The petitioner will have the visiting rights to visit the child at EBENEZER Matriculation Higher Secondary School at Yelagiri.

7. With these observations, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

2. The Deputy Commissioner of Police,
Law and Order,
T.Nagar, Chennai - 600 017.

3. The Inspector of Police,
Soundarapandiyanar Angadi
Police Station,
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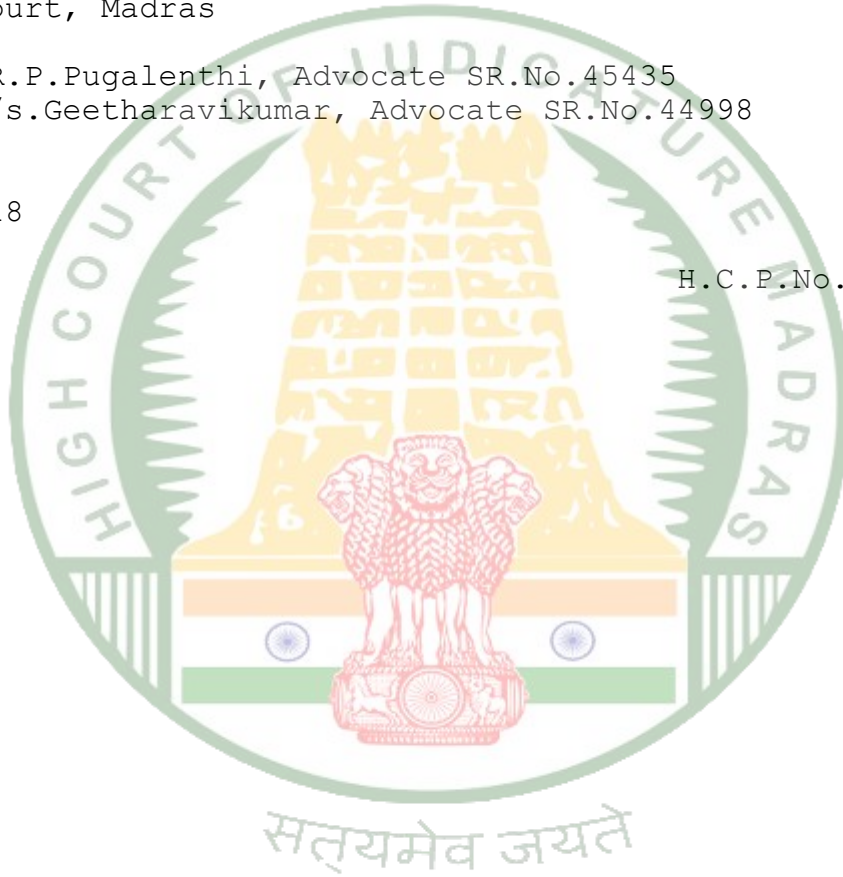
4.The Public Prosecutor
High Court, Madras

+1cc to MR.P.Pugalenth, Advocate SR.No.45435

+1cc to M/s.Geetharavikumar, Advocate SR.No.44998

KK(CO)
sm:9.8.2018

H.C.P.No.713 of 2018



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