



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:21.02.2018

Coram :-

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THE HON'BLE DR.JUSTICE S.VIMALA
and
THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Habeas Corpus Petition (MD) No.43 of 2018

P.Manoharan ... Petitioner
-vs-

1. The Superintendent of Police
Trichy District, Trichy.

2.The Inspector of Police
Thuraiyur Police Station,
Thuraiyur, Trichy District

3.The Inspector of Police,
All Women Police Station,
Musiri Taluk & Post
Tiruchirappalli.

4.Amudhalakshmi ... Respondents

Prayer: Writ petition under Article 226 of the Constitution of India is filed praying for issuance of a writ of Habeas Corpus, to direct the respondent Nos.1 and 2 to produce the petitioner's minor children, M.A.Lithisha aged about 9 years, (born on 03.11.2009) and his son M.A.Roshan Krishna, aged about 5 years, (born on 23.08.2012) who are under the illegal custody of 4th respondent and hand over them to petitioner's custody.

For petitioner	: Mr.A.Haja Mohideen
For respondents	: Mr.C.Ramesh for R1 to R3 Addl. Public Prosecutor Mr.M.Arun Murugan for R4

O R D E R

(Order of the Court was made by
S.Vimala,J.,)

This petition has been filed by the husband seeking direction to the respondents 1 and 2 to produce the petitioner's minor children, namely, M.A.Lithisha aged about 9 years, (born on 03.11.2009) and his son M.A.Roshan Krishna, aged about 5 years, (born on 23.08.2012), who were stated to be in the custody of the 4th respondent/mother.



2. The allegation made in the petition is that the mother is not giving much attention to the children. Though it is stated by the petitioner/husband that he admitted the children at Coimbatore, the learned counsel for the 4th respondent/wife would submit that later, custody has been handed over to the mother and children are being educated at Thuraiyur at Trichy District. Under the said circumstances, the custody of the children with the mother cannot be termed as an illegal custody.

3. On 10.01.2018, when the matter came up for hearing, this Court directed the matter to be listed before the Mediation and Conciliation Centre to arrive at an amicable settlement. Today, the Mediation Centre has reported that there was no compromise arrived at between the parties.

4. In view of the mediation report, this Habeas Corpus Petition is closed with liberty to the petitioner to work out his remedy in the manner known to law before the appropriate forum.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police
Trichy District
Trichy.

2.The Inspector of Police
Thuraiyur Police Station,
Thuraiyur
Trichy District

3.The Inspector of Police,
All Women Police Station,
Musiri Taluk & Post
Tiruchirappalli.

4.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.
+One cc to M/s.M.Arun Murugan, Advocate, SR.No.50376

RR

RL/6C/2P/CVC/SAR2/5/3/2018

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