



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.437 of 2018

WEB COPY

A.Jebasthiyammal Gracy

... Petitioner

vs.

1. Union of India
rep.by the Secretary,
Ministry of External Affairs,
Sastri Bhavan,
New Delhi - 100 001.
2. Union of India,
rep. by Secretary to Government,
Overseas Indian Affairs Dept.,
New Delhi.
3. The High Commission,
Indian Embassy,
Level - 28, No.1, Jalan Mon't Kiara,
Kuala Lumpur, Malaysia.
4. State of Tamil Nadu,
rep.by the Principal Secretary,
Commissioner of Rehabilitation and
Welfare of Non-Resident Tamils,
Ezhilagam,
Chepauk,
Chennai - 600 005.
5. The District Collector,
Sivagangai District,
Sivagangai.
6. The Superintendant of Police,
Sivagangai District,
Sivagangai.
7. The Inspector of Police,
Thiruvegampathur Police Station,
Sivagangai District.

8. John Jeyabalan A/L.N.Dorairaj

<https://hcservices.ecourts.gov.in/hcservices/>

9.Raja

... Respondents



Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus to direct the respondents 1 to 7 to trace-out the whereabouts of the petitioner's husband in Malaysia and secure him and produce the body or person of the petitioner's husband detenu viz., Arockiaraj S/o.Rajamanickam (Passport No.K6717703) aged 45 years before this Court, illegally detained in Malaysia by the 8th respondent before this Court and set him at liberty.

For Petitioner : Mr.S.Rajaprabu

For R1 to R3 : Mr.K.Prabhu

For R4 to R7 : Mr.Dinesh Babu
Additional Public Prosecutor

For R8 : No appearance

For R9 : Mr.P.Ganapathi Subramanian

O R D E R

[Order of the Court was made by **M.M.SUNDRESH, J.**]

This petition has been filed by the wife, seeking custody of her husband, who is a Malaysian citizen.

2.The status report filed on behalf of the first respondent would show that sufficient steps have been taken to find out the whereabouts of the detenu. The report further states that attempt to trace the detenu still continues through police and monitor jail/immigration camp lists. The status is also being updated on MADAD portal by the High Commission of India in Kuala Lumpur.

3.Inasmuch as the detenu is missing in Malaysia, nothing more can be done except continuing the efforts which are being done. In the light of the status report filed on behalf of the first respondent no further order is required. Accordingly, this petition is closed. However, this order will not stand in the way of the first respondent in pursuing the matter as mentioned in paragraph No.9 of the status report.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar(Cs-I)



To

1. The Secretary,
Ministry of External Affairs,
Sastri Bhavan,
New Delhi - 100 001.
2. The Secretary to Government,
Overseas Indian Affairs Dept.,
New Delhi.
3. The High Commission,
Indian Embassy,
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4. The Principal Secretary,
State of Tamil Nadu,
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Sivagangai.
6. The Superintendant of Police,
Sivagangai District,
Sivagangai.
7. The Inspector of Police,
Thiruvegampathur Police Station,
Sivagangai District.
8. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.Prabhu, Advocate SR.No.78746

MJ

VB/KAK/SAR1/18.09.2018/3P/10C

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