THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

W.P.No.5582 of 2018

Date: 20.02.2018

Between:

S.Nagajyothi W/o. S.Venkatesh,
aged about 36 years, Occ: Household,
R/o.Mothkur (V&M), Yadadri,
Bhongiri district. … Petitioner

And

The State of Telangana,
Principal Secretary, Home Department,
Secretariat, Hyderabad
and three others … Respondents

Counsel for the Petitioner : Ms. Ayesa Saba

Counsel for the Respondents: AGP allotted to AG (TS)

The Court made the following:

Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The mother of Sindhuja (mistakenly shown as S.Sandhya in the writ petition) (for short 'the alleged detenue') filed this writ petition, for issue of Habeas Corpus, directing respondents No.2 and 3, to produce the alleged detenue before the Court and hand over her custody to the petitioner.

2. Respondent No.2 has produced the alleged detenue and respondent No.4 before the Court. The alleged detenue stated that she has completed 18 years of age and that, she married respondent No.4 on her own volition and with her free consent and that they are living together as man and wife.

3. The petitioner who is personally present in the Court, admitted that the alleged detenue has completed 18 years of age and that, therefore, she is a major. She however, lamented that respondent No.4 is unemployed and that the life of her daughter would be spoiled if she is permitted to live with respondent No.4

4. As the detenue is a major, she has every right to choose her own life partner and live with him. Being the mother, the agony of the petitioner is understandable. However, no Court can direct a major to act contrary to his/her wishes. The alleged detenue being a major and a free citizen of India, cannot be compelled to leave the

company of respondent No.4 and join her parents. In this view of the matter, the relief claimed in this writ petition, cannot be granted.

5. The writ petition is, accordingly, dismissed.

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(C.V.Nagarjuna Reddy, J)

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(Gudiseva Shyam Prasad, J)

Date: 20th February, 2018

msb

HIGH COURT OF JUDICATURE AT HYDERABAD FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते