

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.15806 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners *inter alia* stating that the 3rd respondent is calling the petitioners to the Police Station and harassing them without any valid reason, at the instance of the 4th respondent, who is the wife of the 1st petitioner, and that insistence is being made to give custody of the elder son of the 1st petitioner to the 4th respondent, without the 4th respondent taking any recourse to law.

2. I have heard the submissions of Sri C.Hari Preeth, learned counsel appearing for the petitioners, and of the learned Government Pleader for Home (Telangana), appearing for the respondents 1 to 3. I have perused the material record.

3. At the hearing, learned counsel for the petitioners would submit that if the 4th respondent intends to have the custody of the elder son, who is presently in the custody of the 1st petitioner, the 4th respondent must take appropriate legal action, by following the procedure established by law; but, she cannot seek the assistance of the Police Officer for obtaining the custody of the boy from the 1st petitioner; and, that the petitioners are also being called to the Police Station for monetary settlement and forceful obtainment of the custody of the child from the 1st petitioner.

4. Learned Government Pleader for Home, on written instructions, dated nil, a copy of which is placed on record, submits that in view of the registration of the crime on the reference of a report by the Superintendent of Police, the Police Officer concerned called the petitioner only once to the Police Station in connection with the investigation into the said case in Crime No.67 of 2018, on the file of the Women Police Station, Central Crime Station, Hyderabad, and that all the contra allegations made by the petitioners are false and that the petitioners attended for enquiry only once, as called for by the Police, but did not appear before the Station House Officer on subsequent occasions and that the present writ petition is filed with false allegations.

5. Learned counsel for the petitioners submits that if the writ petition is disposed of recording the submissions of the learned Government Pleader for Home that the police are not interfering with the custody of the elder son of the 1st petitioner, the grievance of the writ petitioner stands redressed.

6. Recording the submissions, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

M.SEETHARAMA MURTI, J

Date: 30th April, 2018

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