

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

WEDNESDAY, THE TWENTY SIXTH DAY OF AUGUST,
TWO THOUSAND AND FIFTEEN

:PRESENT:

**THE HON'BLE SRI DILIP B. BHOSALE, THE ACTING CHIEF
JUSTICE
AND
THE HON'BLE SRI JUSTICE S.V.BHATT**

WP.NO: 16389 of 2015

Between:

Sai Prasanna Kumar Thotapalli, S/o Shri Sreenivasa Murthy,
R/o 2828, Hayes road, #618, Houston, Tx 77082,
Rep by his G.P.A. Holder T.Seeerivasa Murthy, S/o T Chithambariash,
aged about 80 years, Residing at 125, RBD layout,
Sarjapur Road, Bangalore-560035.

..... PETITIONER

AND

- 1 The State of Telangana, Rep by its Principal Secretary, For Home Department, Secretariat, Hyderabad.
- 2 The Superintendent of Police, Warangal, Warangal District.
- 3 The Station House Officer, Subedari Police Station, Hanumakonda, Warangal District.
- 4 Padma Vyakanam, W/o Sai Prasanna Kumar Thotapalli, D/o Vyakarnam Venkata Narasimha Sastry, R/o 2-5-32, Aswini Hospital, Nakkalagutta, Hanamakonda, Warangal-506001.

.....RESPONDENTS

petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court may be pleased to issue a writ of Habeas Corpus ordering and directing the respondent No.4 to produce before this Hon'ble Court the minor child Siva Kumar, citizen of US and cause return of the minor child Siva Kumar (along with the respondent No.4) to the jurisdiction of the courts of Texas in compliance with the order dated 5/10/2012 and 28/01/2013 passed by the Texas Courts USA to enable the minor child to go back to Texas and upon her failure to do so, the respondent No. 4 be directed to handover the custody of minor child Siva Kumar to the petitioner to enable him to take the minor child Siva Kumar back to the jurisdiction of USA Court, Texas. (b) direct the respondent no.4 to hand over the requisite documents such as passports and other travel documents of the minor child Siva Kumar which are in her custody to the petitioner father in order to facilitate return of the minor child Siva Kumar to Texas, USA. (c) Cost of this petition be provided for;

The Petition coming on for hearing, upon perusing the petition and affidavit filed herein, and upon hearing the arguments of Sri T.S. Anirudh Reddy, Advocate for the Petitioner and the learned Government Pleader for Home (TG) for respondents Nos 1 to 3, and Sri G. Sampurna Anand, Advocate for Respondent No.4, the Court made the following

ORDER:

Heard learned counsel for the parties.

We are informed that the petitioner met the child and respondent No.4- wife on two/three occasions after the last date of hearing. He prays for allowing the petitioner to meet the child and his wife on a few more occasions. Learned counsel for respondent No.4 has no objection for allowing the petitioner to meet the child and respondent No.4 at Warangal.

We accordingly allow three to meet at Warangal whenever the petitioner desires without disturbing the school timings of the child. Respondent No.4 shall allow the petitioner and his parents to meet the child all alone at her residence in a room where no other person shall disturb them.

Stand over to 15-09-2015.

The interim order not to execute the LOC shall remain operative until further orders.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. One CC to Sri T.S. Anirudh Reddy, Advocate (OPUC)
2. One CC to Sri G. Sampurna Anand, Advocate (OPUC)
3. Two CCs to GP for Home (TG) High Court, Hyderabad. (OUT)
4. Two Spare Copies.

Skm

HIGH COURT

**HACJ
&
SVB,J**

Drafted by: skm

Drafted on: 27-08-2015

DATE: 26-8-2015

NOTE: Stand over to 15-09-2015

ORDER

W.P.NO. 16389 OF 2015

DIRECTION