

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WP.No.28660 of 2018

Date:14.08.2018

Between.

K.Malathi,

W/o K.Venkatesh

.....Petitioner

And.

State of Telangana, Home
Department, repto by its
Principal Secretary and six others.

.....Respondents

Counsel for the petitioner: Mr. C.Subodh

Counsel for respondent Nos.1 to 4: AGP representing Advocate General (TS)

The Court made the following:

ORDER: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This Writ Petition is filed for the following substantive relief:

“... to issue an order or orders more particularly one in the nature of Writ of *Habeas Corpus* directing the respondents herein to produce her daughter namely K Sanjana, W/o Siddhartha, before this Honourable Court, record the statement and set her at liberty.”

On the petitioner's own showing, both respondent Nos.6 and 7, who are allegedly responsible for missing of her daughter-K.Sanjana, are residents of Zaheerabad. It is also not the pleaded case of the petitioner that her daughter was forcibly taken from Hyderabad. Even the petitioner is also not a resident of Hyderabad.

In these facts and circumstances, we are of the opinion that impleadment of respondent Nos.2 to 5 constitutes mis-joinder and non-impleadment of the Zaheerabad Police constitutes non-joinder of the necessary parties. Hence, the Writ Petition is dismissed, however with liberty to the petitioner to file a fresh Writ Petition with impleadment of necessary and proper parties.

JUSTICE C.V.NAGARJUNA REDDY

JUSTICE GUDISEVA SHYAM PRASAD

14th August, 2018

DR

