

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

W.P.No.29475 of 2018

Date:20.9.2018

Between.

Rizwana,

W/o Late M.A.Adil

....Petitioner

And.

The State of Telangana,
reptd by its Principal Secretary,
Home Department, Hyderabad
and five others.

....Respondents

Counsel for the petitioner: Ms. B.Indrani Devi

For M/s Advocate Hut

Counsel for respondent Nos.1 to 5: GP for Home

For Addl. Advocate General (TS)

Counsel for respondent No.6: Mr. Mohd. Abdul Jabbar

The Court made the following:

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

This Writ Petition is filed for issue of *Habeas Corpus* directing respondent No.6 to produce the petitioner's son by name M.A.Hameed (the alleged detenu), aged 17 years, before the Court and set him at liberty.

The alleged detenu is produced by the Police before the Court. He informed the Court that he is voluntarily staying with respondent No.6, who is the wife of his paternal uncle. The petitioner, however, expressed her strong desire to take the alleged detenu with her.

In spite of this Court trying to convince the alleged detenu, the latter expressed strong reservations against his living with the petitioner and expressed his desire to continue to live with respondent No.6.

In the above facts and circumstances of the case, the relief claimed in this Writ Petition cannot be granted.

The Writ Petition is, accordingly, dismissed. However, dismissal of this Writ Petition would not preclude the petitioner from moving an application for custody of her son before the Court of competent jurisdiction.

JUSTICE C.V.NAGARJUNA REDDY

JUSTICE GUDISEVA SHAYM PRASAD

20th September, 2018

DR