

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

AND

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

W.P.No.37825 of 2018

Date: 25.10.2018

Between:

Smt.Golla Kamala,
D/o.Ramanjaneyulu,
Aged about 26 years,
Occ: Private Employee,
R/o.Flat No.101,
Sai Dhamam Residency,
Near Saibaba Temple,
Beeramguda,
R.C. Puram,
Cyberabad district.

... Petitioner

And

The State of Telangana,
rep. by its Principal Secretary,
Home Department,
Secretariat,
Hyderabad
and three others.

...

Respondents

Counsel for the Petitioner : Mr. Karunakar Reddy

Counsel for the Respondents: G.P. attached to AG (TS) for R1 to 3

The Court made the following:

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

This writ petition is filed for issue of habeas corpus, directing the police to produce the petitioner's minor daughter by name Sahasra, from the custody of respondent No.4.

2. On the petitioner's own showing, she obtained divorce from respondent No.4 as per Muslim custom and that she has also executed an undertaking, allegedly under threat and coercion that she will not claim her daughter.

3. In the light of the said pleading, this is not a fit case for granting the relief of issue of a writ of habeas corpus. The petitioner however, is entitled to approach common law court, claiming custody of her minor child as per the extant statutory enactments.

4. The writ petition is, accordingly, dismissed.

(C.V.Nagarjuna Reddy, J)

(T.Amarnath Goud, J)

Date: 25th October, 2018

msb

