

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2019

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

HCP.No.475 of 2019

N.Gnanasekaran

... Petitioner

-vs-

1. The State Rep by
The Superintendent of Police,
Erode District,
Erode.
2. The Inspector of Police,
Erode Taluk Police Station,
Erode District.
3. Victor Paul Raj,
Sav Restaurant Opp.,
Near Mayas Provisional Store,
Cheran Nagar, Erode - 638 002.

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus directing the respondent 1 and 2 to produce the body of the detinue's /petitioner's wife (Viji) 40 years and minor daughter (sheebha Grace) 13 yrs who are illegally detained by the 3rd respondent and produce the detinue before this Court and entrust them to petitioner custody.

For Petitioner : Mr. A. Thiagarajan

For Respondent : Mr.R. Prathapkumar,
Additional Public Prosecutor

ORDER

(Order of the Court made by M.M.SUNDRESH, J.)

Petitioner, who is the husband of the first detinue Viji, aged 40 years and father of the second detinue Sheebha Grace, aged 13 years has filed this petition seeking a direction to respondent to cause production of his wife and daughter before this Court.

2. This is a matrimonial dispute between the husband and wife. Detenue is present before this Court. On enquiry by this Court, she has informed that due to difference of opinion with the petitioner she is living apart with her daughter and her son is with the petitioner. This, we do not find any illegal detention involved. However, we give liberty to the petitioner to give petition before the Mediation Centre, Erode. As and when such petition is given, we expect that notice to the respondent be issued, who is also stated to be living at Erode, so that the dispute would be resolved between the parties.

3. We also know that the children of the petitioner and the second detenue are studying in the same school and they have access to both the parents.

4. Accordingly, the petition is closed.

mp/kmk

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Erode District,
Erode.
2. The Inspector of Police,
Erode Taluk Police Station,
Erode District.

+1cc to Mr.A.Thiyagarajan, Advocate, SR.No.45282

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