

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19..06..2019
CORAM

The Honourable Mr Justice M.M.SUNDRESH
and
The Honourable Mr Justice M. NIRMAL KUMAR

Habeas Corpus Petition No.891 of 2019

J.Selvarani ... Petitioner /Wife of the Detenu

-Versus-

1.The Superintendent of Police,
Kandhipuram District,
Kancheepuram.

2.The Inspector of Police,
E-9, Thalampur Police Station,
Kancheepuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to produce the detenu-S.D.Jebaraj, the husband of the petitioner, aged about 64 years before this court and set him at liberty.

For Petitioner : Mr.P.Kumaravel

For Respondents : Mr.C.Iyyapparaj, APP for
R1 and R2

ORDER

[Order of the court was made by Justice M.M.SUNDRESH]

The petitioner is the wife of the detenu - S.D.Jebaraj. Alleging that the detenu has been missing and no action is taken by the respondents, the present Habeas Corpus Petition is filed.

2. Mr.Palani, Inspector of Police, Thalambur, is present. The learned Additional Public Prosecutor, on instructions from the respondents, submitted that the detenu had sold away the house property which was standing in his name. The said house was thereafter demolished by the purchaser. For more than a decade the detenu and the petitioner are living separately. After coming to know of the sale followed by the consequential demolition, the petitioner gave a complaint alleging that the detenu has been missing which is factually in correct.

3. In view of the above, we are not inclined to keep this petition pending any longer. The petitioner, who is also present before us, has stated that the house property was purchased by her in the name of her husband/detenu. We are afraid that the said issue cannot be adjudicated upon in this petition. The remedy for the petitioner lies elsewhere. Suffice it to state that there is no illegal detention involved. This Habeas Corpus Petition is accordingly closed.

Sd/-
Assistant Registrar(CS-VII)

//True copy//

Sub Assistant Registrar

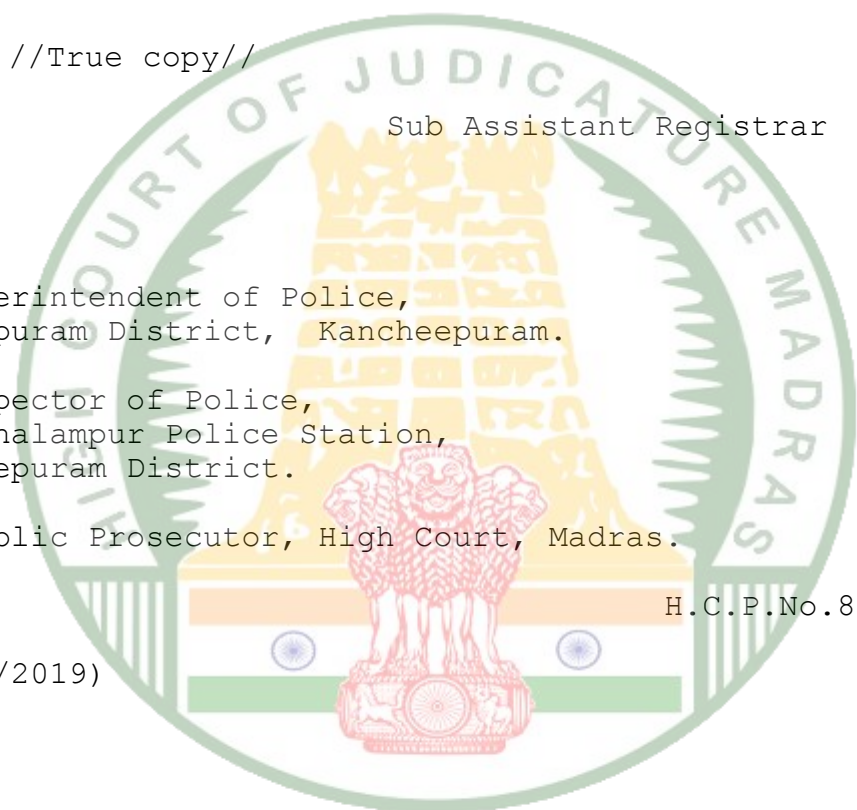
kmk

To

- 1.The Superintendent of Police,
Kandhipuram District, Kancheepuram.
- 2.The Inspector of Police,
E-9, Thalampur Police Station,
Kancheepuram District.
3. The Public Prosecutor, High Court, Madras.

H.C.P.No.891 of 2019

CA(CO)
GMY(18/07/2019)

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital on top. Below the gopuram is a red elephant. The entire emblem is set against a background of horizontal stripes (orange, white, green) with blue wheels. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circle around the emblem. Below the emblem is the motto "सत्यमेव जयते" in Devanagari script.

WEB COPY