

THE HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.2141 of 2019

ORDER: (Per the Hon'ble the Chief Justice Sri Thottathil B.Radhakrishnan)

Following the earlier order, the child, who is said to have been illegally detained by the maternal grandmother at the instance of the maternal uncle, is presented before us by the maternal grandmother. In Court, the child appears to be well acquainted with the biological father as well.

2. We are, however, told that O.P.No.04 of 2019 is pending before the III Additional Family Court, Ranga Reddy District, at Malkajgiri, as filed by the maternal grandmother. We think that the best interest of the child can be secured through the Family Court, though the petitioner submits that the child is not being sent to school now. All such matters would gain attention before the Family Court.

3. It is submitted by the learned counsel appearing for the unofficial respondents that the proceedings in the Family Court is now listed to 08.03.2019. We think that will be too long away for the child to wait for requisite interlocutory orders taking into all attendant circumstances which would operate in the best interest of the child and all its affairs.

4. We, therefore, direct the unofficial respondents to present the child before the III Additional Family Court, Ranga Reddy District, at Malkajgiri, on 12.02.2019 (Tuesday) at 11:00 am

and the petitioner also to be present before that Court at that time to request the learned Family Judge to pass appropriate orders having regard to the custody and welfare of the child in question. Any interim arrangement as the learned Judge may feel appropriate may be issued at that time.

5. It is also directed that the unofficial respondents shall not move the child out of the jurisdiction of this Court and shall comply with the direction issued above for production of the child before the III Additional Family Court, Ranga Reddy District, at Malkajgiri.

6. Registry will alert that Court to list the said case on that day in conformity with this direction and have it taken up when the parties would present themselves.

The Writ Petition is ordered accordingly.

The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

A.RAJASHEKER REDDY, J

07.02.2019

Note: Issue C.C today.

B/o.

vs