

THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.12362 of 2019

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, for the following relief:

“....to issue a Writ of Mandamus or any other appropriate writ declaring that the action of the respondents complaining against the petitioner and the same is being entertained and kept the petitioner in both Bhavani Matha Mahila Mandali Swadhar Rescue house through State Home for Women is illegal arbitrary and violative of principles of natural justice and violation of the personal life and liberty of the petitioner and consequently direct the respondents police not to entertain complaint of missing about the petitioner by her parents, in laws and husband and brother and relatives except Raju Singh and his family members and grant such other relief as it deem fit in the circumstances of the case.”

2. Heard learned counsel for the petitioner and learned Government Pleader for Home.

3. Learned Government Pleader for Home produced written instructions stating that the father of the petitioner-4th respondent gave a complaint on 21.02.2019 stating that on the intervening night i.e., on 16/17.02.2019 at about 2.45 a.m. he found that her daughter, the petitioner herein, was missing. Basing on the complaint, Crime No.54 of 2019 of Mangalhat Police Station, Hyderabad City, was registered. He further submits that earlier also a case was registered in Crime No.232 of 2018 of Mangalhat Police Station and that the said case

was closed as the petitioner was traced. He further submits that in the present case, during the course of investigation, the petitioner was traced on 10.03.2019 at Mangalhat, Hyderabad, and on enquiry she stated that she does not want to stay with her parents nor with her husband and she wants to lead her life separately. As such, the Station House Officer, Mangalhat Police Station-2nd respondent addressed a letter to the 3rd respondent-Director, Sri Bhavani Mahila Mandali, Begumpet, on 10.03.2019, requesting to admit and provide shelter to the petitioner. Later, Crime No.54 of 2019 was closed as 'action dropped' on 31.03.2019 and a final report was filed before the concerned Court and the same was informed to the 3rd and 4th respondents. He further submits that the petitioner gave a letter to the 3rd respondent on 25.05.2019 requesting to provide shelter for few months to settle her issue.

4. Learned counsel for the petitioner submits that the petitioner is also not interested to stay with the 3rd respondent and police cannot interfere with the life and liberty, since she is a major and she wants to file a divorce petition against her husband-7th respondent.

5. Recording the aforesaid submissions, the writ petition is disposed of directing the 2nd and 3rd respondents to allow the petitioner to leave the 3rd respondent-Sri Bhavani Mahila Mandali, Begumpet, and that the 2nd respondent shall not interfere with the life and liberty of the petitioner. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

27th June 2019

Note:

Issue C.C. in two days

(b/o)

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