

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.21382 of 2014

ORDER:

There is no representation on behalf of the petitioner.

2. The prayer sought in the writ petition is as under:-

“...to issue an order or orders more particularly one in the nature of Writ of Mandamus declaring the actions of the 1st respondent in their in-action and negligent attitude over the complaint Dt.24.06.2014 is illegal, arbitrary and violative of fundamental rights guaranteed by the Constitution of India and principles of natural justice and direct the respondents 1 and 2 to take immediate and appropriate action against the illegal confinement of petitioner's son Master Tarun, Aged 2 ½ yrs basing on the complaint Dt.24.6.2014 and pass such other order/orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and in the interest of justice.”

3. When the matter is called, learned Government Pleader appearing for the respondents 1 to 3 placed on record the written instructions enclosing a photograph and a receipt/letter executed by the petitioner.

4. From a perusal of the said instructions, it is revealed that the petitioner addressed a complaint, dated 24.06.2014, to the Sub-Inspector of Police, Raidurgam Police Station-1st respondent. After receipt of the said complaint, the 1st respondent came to know the facts of the case that the petitioner is eldest daughter of the 4th respondent. She got married and blessed with a son, by name Tarun. Thereafter, she got divorced on 13.12.2013, vide O.P.No.886 of 2012 from the Court of Judge, Family Court, Visakhapatnam. She had a love affair with one Tharun Kumar and got married on 30.04.2014 and the said person accepted her son to live along with them.

Subsequently, they were leading marital life in a rented house at Badangipet, Balapur, Hyderabad. The petitioner's father, who is the 4th respondent herein, has not accepted the marriage of the petitioner with the said Tharun Kumar and forced the petitioner to leave her husband and agree for another marriage of their choice. When she refused to accept their demand, the petitioner's father forcibly snatched away her son and separated from her. In those circumstances, the 1st respondent called the petitioner and the 4th respondent to the police station and discussed about the matter. During the course of discussion, the 4th respondent stated that if the petitioner gets her husband then only he will give her son. On that the petitioner accepted the said condition and both the parties left the police station. Again on 10.08.2014, the petitioner sent a receipt through his father i.e., 4th respondent stating that she received her son safely and she wants to withdraw all the cases filed against her parents. Along with the said written instructions, a receipt, dated 10.08.2014, executed by the petitioner is also enclosed. From a perusal of the said letter, it is revealed that the petitioner got her son from her parents on 10.08.2014 and she agreed to withdraw all the cases against her parents including the present writ petition in this Court. The said receipt/letter executed by the petitioner along with the photograph are made part of the record.

5. In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition and the same is liable to be closed.

6. Accordingly, the writ petition is closed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

P. KESHA VA RAO, J

11th December 2019

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