

High Court for the State of Telangana

The Hon'ble The Chief Justice Raghvendra Singh Chauhan

and

The Hon'ble Dr Justice Shameem Akther

W.P. No. 16950 of 2019

Date: 09-08-2019

Between:

Matharapu Rama Rao

...Petitioner

and

The State of Telangana

Rep. by its Principal Secretary for Home,
Secretariat, Hyderabad and 4 others

...Respondents

Counsel for the Petitioner:

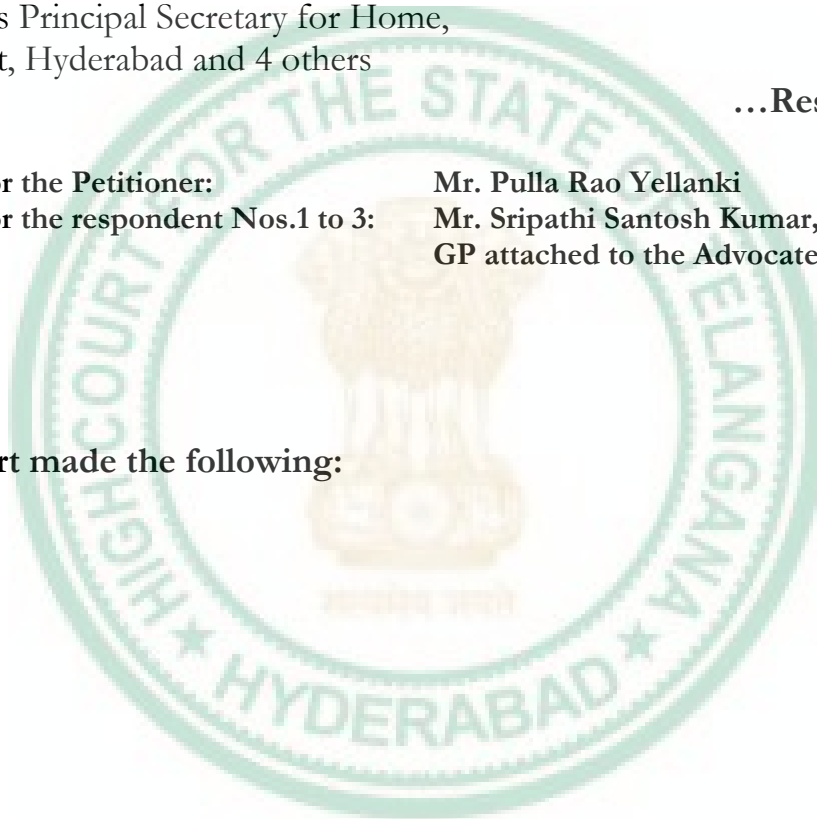
Mr. Pulla Rao Yellanki

Counsel for the respondent Nos.1 to 3:

Mr. Sripathi Santosh Kumar,

GP attached to the Advocate General

The Court made the following:



Order: (per Hon'ble The Chief Justice Raghvendra Singh Chauhan)

Mr. Matharapu Rama Rao, the petitioner, has filed the present Habeas Corpus petition, ostensibly, on the ground that his daughter, Matharapu Manaswi, aged five years, is being illegally detained by his wife, respondent No. 5, and his mother-in-law, respondent No. 4.

Since the child is allegedly five years old, her custody with her mother, respondent No. 5, *prima facie* cannot be said to be illegal. Therefore, this Court does not find any merit in the present Habeas Corpus petition. Moreover, the Habeas Corpus jurisdiction cannot be invoked by the petitioner in order to scuttle the judicial process. Obviously, the petitioner has ample remedy of filing the petition for child custody before the concerned family court. Instead of taking recourse to the said remedy, the petitioner has needlessly rushed to this Court by invoking the Habeas Corpus jurisdiction.

For the reasons stated above, this Court does not find any merit in the present Habeas Corpus petition. It is, hereby, dismissed.

As a sequel to dismissal of the writ petition, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(Raghvendra Singh Chauhan, CJ)

(Dr. Shameem Akther, J)

Dt: 9th August, 2019
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