

HIGH COURT FOR THE STATE OF TELANGANA

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION No.21379 of 2019

01.10.2019

Between:

Malladi Sreekanth

...Petitioner

and

The Director General of Police and others

...Respondents

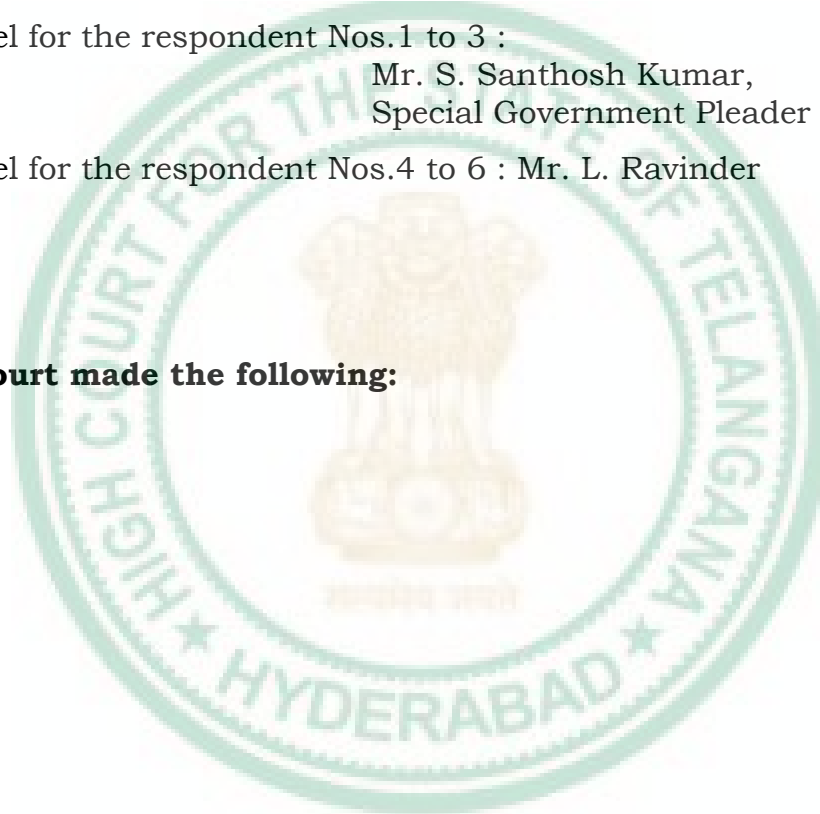
Counsel for the petitioner: Party-in-person

Counsel for the respondent Nos.1 to 3 :

Mr. S. Santhosh Kumar,
Special Government Pleader

Counsel for the respondent Nos.4 to 6 : Mr. L. Ravinder

The Court made the following:



ORDER: (Per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)

Mr. Malladi Sreekanth, the petitioner-in-person, has filed this Habeas Corpus Writ Petition, *inter alia*, on the ground that his son, Master Malladi Vedanth, is in the custody of his wife, Upadrashta Venkata Siri, the respondent No.4.

According to the petitioner-in-person, the petitioner-in-person and the respondent No.4 were married on 06.08.2006. After the marriage, they shifted to the United States. On 30.09.2011, they were blessed with a son, Malladi Vedanth. However, during the course of their marriage, differences arose between the parties. Eventually, in June, 2015, the respondent No.4 filed a petition, namely O.P.No.846 of 2015, for divorce and for permanent custody of the child, before the Additional Family Court, City Civil Court, Hyderabad. According to the petitioner-in-person, he did not receive any summons from the said Court. However, the Family Court proceeded *ex parte* against him. Therefore, he filed an application for setting aside the *ex parte* order which is presently pending before the Family Court. Moreover, the petitioner-in-person claims that his son is being illegally detained by the respondent No.4. For, he neither knows the whereabouts of his son nor knows about his welfare. In spite of the fact that he has sent two legal notices to the respondent No.4 enquiring about the welfare and whereabouts of his son, both the legal notices did not elicit any response. Hence, the present petition before this Court.

By order dated 26.09.2019, this Court had directed the respondent No.3 to ensure that the respondent No.4 is present before this Court along with the child, Master Vedanth, on 30.09.2019. Although on 30.09.2019, the respondent No.4 did not

appear before this Court, today she has appeared before this Court along with Master Vedanth.

This Court has asked the respondent No.4 to give her present address. For, despite the best efforts of the petitioner-in-person, he is unaware of the present address of the respondent No.4 and as to where his child is studying. The respondent No.4 informs this Court that her present address is "*Upadrashta Venkata Siri, B 301, Century Infiniti, Owner's Court East, Kasavanahalli, Bangalore-560035, Karnataka*". She further informs this Court her child is studying in Class-III at "*Gleentree Academy, Sarjapur, Bangalore, Karnataka*". This Court also has had an occasion to interact with Master Vedanth. He informs this Court that his mother and his family shifted to Bangalore about three months ago. They are comfortably settled in Bangalore. According to him, he is regularly attending the school. He is in Class-III. His favorite subject happens to be Mathematics. He has his own set of friends and enjoys playing Football with them.

Since the child is staying with the mother, and since the child has, indeed, been produced before this Court, this Habeas Corpus Writ Petition no longer survives.

Therefore, this Habeas Corpus Writ Petition is disposed of. The parties shall be free to contest the case with regard to the custody of the child before the Family Court. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, CJ

A. ABHISHEK REDDY, J

High Court for the State of Telangana**THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN****AND****THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY****WRIT PETITION No.21379 of 2019****(Per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)****Date: 01.10.2019****JSU**