

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

H.C.P.No.1616 of 2020

N.Rajasekar .. Petitioner

Vs.

1.The Superintendent of Police, .. Respondents
Vellore District.

2.The Inspector of Police,
Venppankuppam Police Station,
Vellore District, Vellore.

3.Hemalatha
(R3 impleaded suo motu
vide order dt.18.09.2020)

Petition filed under Article 226 of the Constitution of India praying for a Writ of Habeas Corpus directing the respondents to produce minor Selvaa, son of Rajasekhar, petitioner herein, aged about 7 years, and handover custody to the petitioner.

For Petitioner : Ms.T.Hemalatha

For Respondents Mr.R.Prathap Kumar,
: Addl. Public Prosecutor
for R1 and R2

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

Seeking a direction to respondents 1 and 2 to produce minor Selvaa, son of Rajasekhar, aged about 7 years, and to handover custody to the petitioner, the present habeas corpus petition has been filed by the father of the detenu.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for respondents 1 and 2.

3.It is a case were the petitioner seeks the custody of his minor child from the mother. We have directed Mediation between the parties, which is stated to have failed.

4.Inasmuch as this is a custody battle between the husband and the wife over the minor child, who is at present with his mother, we are not inclined to pass any positive order.

5.Accordingly, the habeas corpus petition stands closed giving liberty to the petitioner to workout the remedy in the manner known to law including approaching the jurisdictional Court.

-Sd/-

Assistant Registrar (CS)

// True Copy //

Sub Assistant Registrar

ssm

To

1.The Superintendent of Police,
Vellore District.

2.The Inspector of Police,
Venppankuppam Police Station,
Vellore District, Vellore.

3.The Public Prosecutor,
High Court, Madras.

+1 C.C. to MS.T.HEMALATHA Advocate SR.NO.38197

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UM (CO)

UM (16.12.2020)

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