



WEB COPY

H.C.P.(MD) No.102 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE G.ILANGOVA

H.C.P. (MD) No.102 of 2021

S.Alageswari

... Petitioner/Mother of the Detenu
-vs-

1.The Superintendent of Police,
Dindigul District,
Dindigul.

2.The Superintendent of Police,
Palani Sub-Division,
Palani.

3.The Inspector of Police,
Aayakudi Police Station,
Dindigul District.

4.Manimegalai

5.Dhanasekar

6.Nethra

7.Suryaraj

8.Selvalakshmi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the respondents to produce the body of the detenu by name Haripriya, daughter of Sellamuthu, aged about 20 years before this Court and set her at liberty.

For Petitioner	:	Mr.K.Suresh
For R1 to R3	:	Mr.K.Dinesh Babu
		Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

This habeas corpus petition has been filed seeking direction to the respondents to produce the petitioner's daughter, namely, Haripriya, aged about 20 years before this Court and set her at liberty.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The petitioner would claim that her daughter Haripriya, the detinue herein, is studying 3rd year B.Com (Hons) at Mount Carmel College, Bengaluru. However, due to COVID-19 pandemic she was attending classes through online, but, for the past two months she is found missing. It is also stated that the respondents 4 to 8, who are the relatives of the petitioner, have illegally detained the detinue.

3. When the matter is taken up hearing today, the detinue Haripriya appeared before this Court through Video Conferencing. On enquiry, she would state that she has been under care and custody of her paternal uncle Kuppusamy, the Ex-Village Administrative Officer from her childhood and now she is studying in Bengaluru. She further stated that her paternal uncle bequeathed his properties in favour of her through a Will and her parents are now pressuring her to deal with the property. According to her, the private respondents are her close relatives and they never illegally detained her as alleged by the petitioner.

4. It is the submission of the learned counsel for the petitioner that the testator of the Will is still alive and the detinue would acquire right only after the life time of the testator, which shows that the statement made by the detinue is false.

5. In the instant case, admittedly the detinue is a major. In the light of the above statement given by the detinue, no further adjudication is required in this habeas corpus petition and hence, this petition is dismissed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Dindigul District,

<https://hcservices.dindigul.gov.in/hcservices/>



2.The Superintendent of Police,
Palani Sub-Division,
Palani.

3.The Inspector of Police,
Aayakudi Police Station,
Dindigul District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.102 of 2021
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(NA) CO

AP(11/02/2021) 3P 5C