



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P.(MD) No.204 of 2021

R.Vanitha

... Petitioner/Wife of the detenu

-vs-

1.The Principal Secretary/Commissioner,
Commissionerate of Rehabilitation and Welfare
of Non-Resident Tamils,
Chepuak,
Chennai - 600 005.

2.The Head,
Branch Secretariat,
Ministry of External Affairs,
EVK Sampath Maligai,
7th Floor, DPL Compound,
College Road,
Chennai - 600 006.

3.The Foreign Secretary,
Ministry of External Affairs,
South Block,
Raisina Hills,
New Delhi.

4.The Deputy Secretary to Government,
Public(RH-II) Department,
Secretariat,
Chennai-9.

5.The District Collector,
Office of the District Collector,
Ramanathapuram.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas directing the respondents to produce the body and person of the Petitioner's husband, the detenu namely, P.Ramarajan, son of Ponnusamy, aged about 31 years before this Court and set him at liberty.



For Petitioner : M/S.V. Muthumani

For Respondents : Mr.S.Ravi
1,4 and 5 Standing Counsel for the State Government

For Respondents : Mr.K.Prabhu
2 and 3 Central Govt.Standing Counsel

O R D E R

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

The present Habeas Corpus Petition has been filed seeking for a direction to the respondents to produce the Petitioner's husband namely, P.Ramarajan, son of Ponnusamy, aged 31 years before this Court and set him at liberty.

2.The Petitioner would claim that she was married to the detenu on 17.02.2016 and a child was born to them out of their wedlock on 10.12.2016. While-so, the detenu got appointment in Saudi Arabia as a Labour in a private company and left to Saudi Arabia in the month of June 2017.

3.The grievance of the Petitioner is that from 19.11.2016, there is no communication from her husband, the detenu herein and hence she lodged a complaint with the respondents- Police. Since no action was taken, the Petitioner has filed this Habeas Corpus Petition.

4.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5.Mr.K.Prabhu, learned Central Government Standing Counsel appearing for the respondents 2 and 3 would submit that when the detenu was working in Saudi Arabia, he was involved in a case of financial fraud and hence, a criminal case was initiated against him and he is in Jazn Jail, Saudi Arabia. It is further represented that the External Affairs Ministry is following up the matter and further developments will be communicated to the Petitioner.

6.In the light of the above statement made by the learned Standing counsel for the Central Government, we find no merit in the



Habeas Corpus Petition and accordingly, the same stands dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

WEB COPY

/ /2021

Sub Assistant Registrar(CS)

vsn

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 Principal Secretary/Commissioner,
Commissionerate of Rehabilitation and Welfare
of Non-Resident Tamils,
Chepak,Chennai - 600 005.
- 2.The Head,
Branch Secretariat,
Ministry of External Affairs,
EVK Sampath Maligai,
7th Floor, DPL Compound,
College Road,
Chennai - 600 006.
- 3.The Foreign Secretary,
Ministry of External Affairs,
South Block,
Raisina Hills,New Delhi.
- 4.The Deputy Secretary to Government,
Public(RH-II)Department,
Secretariat,Chennai-9.
- 5.The District Collector,
Office of the District Collector,
Ramanathapuram.



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

+1 CC to M/s.V.MUTHUMANI, Advocate (SR-19287[F] dated 15/06/2021)

WEB COPY

ORDER MADE IN

H.C.P. (MD) No.204 of 2021

14.06.2021

CN(23.06.2021) 4P 8C