



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2021

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

H.C.P. (MD) No.995 of 2021

Sankareswari

...Petitioner/Wife of the Detenu

Vs.

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

2.The Inspector of Police,
Pandiyan Nagar Police Station,
Virudhunagar District,
Virudhunagar.

3.Solaiyammal

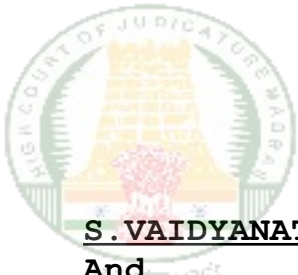
4.Arunagiri

...Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the body or person of the petitioner's husband, namely, Irudhayaraj, S/o.Sevathiyan, who is aged about 38 years before this Court and set him at liberty.

For Petitioner : Mr.A.Ananda Raj

For R1 & R2 : Mr.S.Ravi
Additional Public Prosecutor



O R D E R

S.VAIDYANATHAN, J.

And

DR.G.JAYACHANDRAN, J.

When the matter is taken up for hearing, it is represented by Mr.S.Ravi, learned Additional Public Prosecutor that during the last hearing on 26.07.2021, the detinue appeared before this Court through video conference. Taking note of the matrimonial issue, the matter has been referred to mediator and in the mediation, it has been represented by the detinue that he is not willing to live with the petitioner. Though allegations are made against the detinue by the petitioner, since it is a matrimonial dispute, the same has got to be decided in an appropriate forum. Hence, this Habeas Corpus Petition is closed.

2.It is a matrimonial dispute, the petitioner ought to have approached the appropriate forum to work out her remedy, instead, she has approached this Court by invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

3. Since this Court has appointed Mr.Tamil Mani as Mediator and he has conducted three sessions of mediation, this Court is of the view that a sum of Rs.30,000/- to be paid to the Mediator and the parties are directed to pay a sum of Rs.15,000/- each, to the Mediator, within a period of one month from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

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,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
Pandiyar Nagar Police Station,
Virudhunagar District,
Virudhunagar.

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

Copy to:

1.The Co-Ordinator,
Mediation and Conciliation Centre,
Madurai Bench of Madras High Court,
Madurai.

2.Mr.Tamilmani, Advocate/Mediator,
Madurai Bench of Madras High Court,
Madurai.

**H.C.P. (MD) No. 995 of 2021
16.11.2021**

MGJ(26.11.2021) 3P 6C