



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2021

CORAM:

THE HON'BLE MR JUSTICE G.ILANGOVAN

W.P. (MD)No.16337 of 2021

Inbasekar

... Petitioner

Vs.

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

2.The Dean,
Government Medical College Hospital,
Tirunelveli District,
Tirunelveli.

3.The Social Welfare Officer (Child Care),
District Child Protection Unit,
Tirunelveli District,
Tirunelveli.

4.The Inspector of Police,
Moolakaraipatti Police Station,
Moolakaraipatti,
Tirunelveli District.

5.Ponselvi

... Respondent

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a **Writ of Mandamus**, directing the respondents to take necessary action against the 5th Respondent and his family members and rescue the petitioner's new born child on the basis of representation dated 28.08.2021.

For Petitioner	: Mr.T.Vadivelan
For R1 to R 4	: Mr.R.M.Anbunithi, Additional Public Prosecutor.

O R D E R

This Writ Petition is filed seeking direction to direct the respondents to take necessary action, against the 5th Respondent and his family members and rescue the petitioner's new born child, on the basis of representation, dated 28.08.2021.

2. The fifth respondent is the wife of the petitioner herein and she left the matrimonial house without informing the petitioner and living along with her parents. Later, it came to notice of the petitioner that she became pregnant and she also returned to matrimonial house. Thereafter, a wordy quarrel arose between them.



In respect of which, a case has been registered by the third respondent, in Crime No.202 of 2021, on 08.08.2021. Later, on 24.08.2021, the fifth respondent was admitted in the hospital for delivery and female child was born. But, it was still born. On 27.08.2021, the fifth respondent returned from hospital. When enquiry was made by the petitioner, they gave false and incorrect statement. On perusal of the documents, alleged to have issued by the authorities, he came to know that it was bogus documents. So, he sent a detailed representation, on 28.08.2021, to take action against the fifth respondent and her family members. But, there was no action. Hence, this petition.

3. The learned Additional Public Prosecutor would submit that based upon the complaint, given by the petitioner, enquiry was undertaken, in CSR.No.258 of 2021 and parties have been summoned to attend the enquiry.

4. On the basis of the complaint, given by the petitioner, enquiry was undertaken by the respondent and the grievance of the petitioner is now redressed. So, depending upon the outcome of the enquiry, the fourth respondent may take further steps.

5. Since the grievance of the petitioner is redressed, this Writ Petition stands dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Dss

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Dean,
Government Medical College Hospital,
Tirunelveli District,
Tirunelveli.
- 3.The Social Welfare Officer (Child Care),
District Child Protection Unit,
Tirunelveli District,
Tirunelveli.



4.The Inspector of Police,
Moolakaraipatti Police Station,
Moolakaraipatti,
Tirunelveli District.

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