



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 17.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD)No.17826 of 2014

and

M.P. (MD) .No.1 of 2014

(Through Video Conferencing)

AL.Rajendran

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukottai.

2.The Inspector of Police,
All Women Police Station
Thirumayam

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to forbear the respondents from implementing any order or direction by the Family Justice Courts of the Republic of Singapore in case No.OSG 10/2004 against the petitioner or his child Sahana.

For Petitioner

: Mr.N.Mohan

For Respondent

: Mr.P.Mahendran

Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus forbearing the respondents from implementing any order or direction passed by the Family Court of Republic of Singapore against the petitioner or his child.

2. The second respondent has filed a counter and Paragraph No.6 of the counter is extracted hereunder:

"6.With respect to the averment of the petitioner herein in paragraph 6 of the affidavit, it is respectfully submitted that enquiry confirmed that the child Sahana, whose date of birth is only 21.05.2014 and that the child was removed from the custody and care of the mother by the petitioner herein and being kept with the sister of the petitioner very much against the settled law and customary convention that a newly born child must be with the natural mother. It is further learnt that the mother, the defacto complainant in the above said case has preferred a complaint before the Family Court at Singapore for the custody of the child. No orders of any kind, either about performing the complaint or the order passed by the Family



Court at Singapore has been received by the respondent police and that it is open to the petitioner to take appropriate legal proceedings to enforce the same in India. Hence as a precautionary step and with a view to thwart the lawful claim of the mother, the petitioner herein contrived to file the present writ petition which is totally against convention, equity and justice and hence the present writ petition is liable to be dismissed in limine."

3. In view of the above stand taken by the second respondent, nothing survives for adjudication in the present writ petition. Accordingly, the writ petition is closed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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,
Pudukottai.

2.The Inspector of Police,
All Women Police Station
Thirumayam

+1 CC to M/s.SPL GP (SR-16535[F] dated 19/04/2021)

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PM(CO)

KB(30.04.2021) 2P 4C