



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Sixth day of January Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice S.VAIDYANATHAN
and
The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP(MD) .No.11331 of 2021
IN
HCP(MD)No.1633 of 2021

V.Nathiya

... Petitioner/ Petitioner

Vs

- 1 The Inspector General of Police,
South Zone, New Natham Road,
Madurai
- 2 The Superintendent of Police
Madurai District, Madurai
- 3 The Inspector of Police
All Women Police Station ,
Melur Taluk,
Madurai District.
- 4 The Social Welfare Officer,
Plot No.35, East II Cross Street, K.K.Nagar
Madurai-20.
- 5 M.Vijay
- 6 Devika
- 7 Sumitha
- 8 V.Murugesan

... Respondents/Respondents.

Prayer in CRL MP(MD).No.11331 of 2021:-

This Petition filed under Article 226 of the Constitution of India to Modify the order in H.C.P. No.1633 of 2021 dated 30.11.2021 passed by this Hon'ble Court as to directing the Respondents 1 to 3 to secure the custody of the children from the 5th Respondent and hand over the children to the Petitioner instead of directing the 5th respondent to hand over the children to the petitioner as safeguard the interest of female children.

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



Prayer in HCP(MD)No.1633 of 2021:-

This Petition filed under Article 226 of the Constitution of India Petition for issue of a Writ of Habeas Corpus directing the respondents 1 to 3 to produce the body or person of the detainees namely (Minor)Prajna and Pragathi,D/o.Vijay,aged about 10 years respectively,children of the petitioner before this Honble Court and hand over the custody to the petitioner.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.Mahendran, Advocate for the Petitioner and of M/S.S.Ravi, Additional Public prosecutor for the respondent No.1 to 4, M/S.R.Anand, Advocate for the respondents 5 to 8, this Court made the following order:

When the matter came up for hearing yesterday, we requested both the counsel to suggest the name of any retired Judge, who can mediate and try to bring the parties together and resolve the issue amicably.

2. Today, when the matter is taken up for hearing, Mr.R.Anand and Mr.M.Mahendran, learned counsel appearing for the respective parties suggested the name of three retired District Judges and both of them agree that any one of the person can be nominated to mediate and resolve the issue.

3. We agree to appoint Dr.V.R.Poobalan, District Judge (Retd.,) as Mediator, residing at Athikulam, Madurai. Since the parties are residing at Madurai, due to the present Pandemic situation, it is easy for the parties to meet him on the date to be fixed by him for mediation sothat the matter could be given quietus.

4. Taking note of the submissions made by the learned counsel for the respective parties, we appoint Dr.V.R.Poobalan, District Judge (Retd.,) as Mediator, residing at No.4/135, Kovil Street, Kurunji Nagar, Athikulam, Madurai-14 (Mobile No:9894908495).

5. This Court also make it very clear that the parties must appear before the Mediator in person and shall not trouble him over the phone. Till a decision is taken by the Mediator, the order, dated 16.12.2021 will be in force.

Post the matter on 10.04.2022.

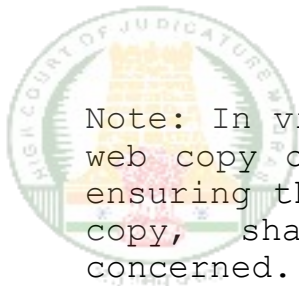
sd/-

06/01/2022

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/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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.

WEB COPY

TO

- 1 THE INSPECTOR GENERAL OF POLICE,
SOUTH ZONE,
NEW NATHAM ROAD,
MADURAI
- 2 THE SUPERINTENDENT OF POLICE
MADURAI DISTRICT,
MADURAI
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MELUR TALUK,
MADURAI DISTRICT.
- 4 THE SOCIAL WELFARE OFFICER
PLOT NO.35, EAST II CROSS STREET,
K.K.NAGAR,
MADURAI-20.
- 5 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 (SOFT COPY)
- 2 V.R.POOBALAN,
DISTRICT JUDGE (RETD.), MEDIATOR,
RESIDING AT NO.4/135, KOVIL STREET, KURUNJI NAGAR,
ATHIKULAM, MADURAI 14. (MOBILE NO.9894908495)

+1. C.C. to M/S.MAHENDRAN K Advocate SR.No.89
ORDER
IN
CRL MP (MD) No.11331 of 2021
IN
HCP (MD) No.1633 of 2021
Date :06/01/2022

SS/PN/SAR-I/11.01.2022 : 3P/8C

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