



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE PARESH UPADHYAY
and
THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.No.1055 of 2022

Mrs.Rima Raj

..Petitioner

Vs

1. The Superintendent of Police,
E8 Kelambakkam Police Station,
Chennai - 603 103.

2. The Inspector of Police,
E8 Kelambakkam Police Station,
Chennai - 603 103.

3. Mr.Raj K Munuswamy

..Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to produce the petitioner's minor daughter Maria Ann Raj, aged 7 years born on 05.01.2015 and handover the minor's custody to the petitioner i.e., her mother Mrs. Rima Raj.

For Petitioner : Ms.Raj Genevive Veena

For Respondents : Mr.M.Babu Muthumeeran
Addl. Public Prosecutor
for R1 and R2

Mr.AR.L.Sundaresan, Sr.Adv
for Mrs.AL.Ganthimathi
for R3



ORDER
(Made by PARESH UPADHYAY, J.)

1. Learned advocate for the petitioner states that, in view of the custody of the minor daughter now with the petitioner - mother, the cause of action in this petition, at this stage, does not survive. She prays for withdrawal of this petition.

2. Permission as prayed for, is granted.

3. We note that, the third respondent who is a retired Army man has also addressed the Court at length ventilating his grievance. So many things are stated from both the sides. Since this is habeas corpus petition and further that the parties to the litigation are husband, wife and the minor daughter, we have thought it proper not to record, what is not necessary for deciding this petition. From both sides, it is stated that they intend to file petition for modification of the order of this Court dated 25.04.2019 recorded on O.P.No.203 of 2019 with A.No.2334 of 2019, in which the visitation right is given to the father, which led to the cause of action of this petition.

4. This habeas corpus petition is closed in above terms.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

ssm/18

To

1. The Superintendent of Police,
E8 Kelambakkam Police Station, Chennai - 603 103.
2. The Inspector of Police,
E8 Kelambakkam Police Station, Chennai - 603 103.
3. The Public Prosecutor, High Court, Madras.

+1cc to M/s.A.L.Ganthimathi Advocate SR. No. 40267

+2ccs to Ms.Raj Genevive Veena Advocate SR. No. 40539

H.C.P.No.1055 of 2022

AD (CO)

PR (07/07/2022)