



H.C.P.No.1131 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.7.2022

Coram

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.No.1131 of 2022

Mohammed Ariff

.. Petitioner

Vs.

1.The Commissioner of Police,
EVK Sampath Salai,
Chennai.

2. The Assistant Commissioner of Police,
Tiruvottiyur Range, Chennai.

3. The Inspector of Police,
H8, Thiruvottiyur Police Station, Chennai.

4. Heena Parveen

5. Ikkara Mudheen

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the 3rd respondents herein to produce the petitioner's Minor child M.Mohamed Thoufiq s/o.Mohammed Arif aged 4years before this Court and hand over to the petitioner.

For Petitioner : Mr.M.Mohammed Riyas

For respondents 1 : Mr.M.Babu Muthumeeran,
to 3 Addl. Public Prosecutor



ORDER

**S. VAIDYANATHAN, J.
AND
A.D. JAGADISH CHANDIRA, J.**

This petition has been filed by the petitioner/father of the detenu seeking to produce his minor son/M.Mohamed Thoufiq, aged 4years, who is alleged to be in the custody of the 4th and 5th respondent.

2. When the matter was taken up for hearing on 30.06.2022, this Court, though felt that the Habeas Corpus Petition is not maintainable, taking into consideration the welfare of the child and also the willingness expressed by both the parties to go for mediation, to give quietus to the issue, this court had referred the matter to the Mediation Centre attached to this Court.

3. Today, when the matter is taken up, the Mediation Report alongwith a joint compromise dated 6.7.2022 is placed and it is submitted that on mediation, the petitioner and the 4th respondent have entered into a joint compromise, wherein it is agreed that the mother/4th respondent shall have the custody of the child from Monday to Friday and the father/petitioner shall have the custody of the child on every Saturday and Sunday.



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4. Recording the above Joint Compromise Memo, this petition is closed. The Joint Compromise Memo dated 6.7.2022 shall form part of this order. Except the above terms agreed in the joint compromise memo, the parties shall workout their other remedies before the appropriate forum.

(S.V.N., J.) (A.D.J.C., J.)
11.7.2022

tsh/ssk

To

1. The Commissioner of Police,
EVK Sampath Salai,
Chennai.
2. The Assistant Commissioner of Police,
Tiruvottiyur Range, Chennai.
3. The Inspector of Police,
H8, Thiruvottiyur Police Station,
Chennai.
4. The Public Prosecutor,
High Court, Madras.



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