



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2022

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.NO.1675 OF 2021

P.Veerendar
S/o.J.Paramasivam

.. Petitioner

Vs.

1. The Superintendent of Police,
O/o. The District Superintendent of Police,
Cuddalore Town.
2. The Superintendent of Police,
O/o. The District Superintendent of Police,
Kallakurichi Town & District.
3. The Inspector of Police,
All Women Police Station,
Vriddhachalam,
Cuddalore District - 606 001.
4. Rajalakshmi
D/o.V.Ramalingam

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents herein to produce the body and the person of the petitioner's elder daughter V.Shivani, aged 6 years, before this Court and hand over her custody to the petitioner forthwith.

For Petitioner : Mr.T.Sivaganansambandan

For Respondents: Mr.R.Muniyapparaj
Additional Public Prosecutor [R1 to R3]
Mr.N.Kannan [R4] [E.No.1384/98]



ORDER

[Order of the Court was made by P.N.PRAKASH, J]

This petition has been filed seeking a direction to the respondents to produce the petitioner's elder daughter V.Shivani, aged 6 years, before this Court and hand over her custody to the petitioner forthwith.

2. On 26.10.2021, we passed the following order:

' It is the case of the petitioner that he got married to the 4th respondent on 13.11.2014 and is blessed with two children viz., Shivani (now 6 years old) and Dhanvisha (now 8 months old); whereabouts of his children are not known to him and therefore, he filed the present petition.

2. On notice, Mr.N.Kannan, Advocate (E.No.1384/1998, Mobile No.98402 07432) entered appearance for the 4th respondent. The 4th respondent and the two children were produced via video conferencing from the All Women Police Station, Vridhachalam. Mr.N.Kannan submitted that the 4th respondent also wants to live peacefully with the petitioner.

3. Hence, the 4th respondent is directed to appear before the Mediation Centre of this Court with the two children on 01.11.2021 at 10.30 a.m. The petitioner shall also appear before the Mediation Centre on the said date. The Assistant Registrar, Mediation Centre, is directed to make arrangements for the physical presence of the petitioner, the 4th respondent, the two children and their respective counsel, for mediation on 01.11.2021 at 10.30 a.m.

Post this matter before this Court, after the mediation proceedings are completed.'

3. Pursuant to the above, the parties appeared before the Mediation Centre and arrived at a settlement on 01.12.2021 as could be seen from the report that has been sent by the Mediation Centre to this Court. In the settlement agreement dated 01.12.2021, it is stated as under:

'6. The following settlement has been arrived at between the Parties hereto:

A. The petitioner and 4th Respondent agreed that



WEB COPY

they would reunite and restored their family life along with their two children namely 1.Miss.Shiveni, aged 6 years and 2.Dhanvishree, aged 8 months old both female child. 4th Respondent undertakes to withdraw all the police complaint filed against the petitioner and his father.

7. By signing this Agreement the parties hereto state that they have no further claims or demands against each other with respect to H.C.P.No.1675/2021 and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of conciliation/Mediation.'

4. We place on record our appreciation to Ms.A.C.Jayalakshmi, Mediator/Conciliator, Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, for bringing about a settlement between the parties. Our appreciation be conveyed to Ms.A.C.Jayalakshmi.

In view of the settlement arrived at between the parties, nothing survives in this petition. Accordingly, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Superintendent of Police,
O/o. The District Superintendent of Police,
Cuddalore Town.
2. The Superintendent of Police,
O/o. The District Superintendent of Police,
Kallakurichi Town & District.
3. The Inspector of Police,
All Women Police Station,
Vriddhachalam, Cuddalore District - 606 001.



4. The Public Prosecutor,
High Court, Madras.

5. The Tamil Nadu Mediation and Conciliation Centre,
High Court, Madras.

H.C.P.No.1675 of 2021

SRA (CO)
PM/08/02/2022