



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2022

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

H.C.P. (MD) No.889 of 2022

N.Durga

... Petitioner/Mother of
the detenue

-vs-

1. The Commissioner of Police,
Madurai City,
Madurai District.

2. The Inspector of Police,
All Women Police Station,
Tallakulam,
Madurai District.

3. J.Ashok Kumar

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the petitioner's minor daughter namely A.Monumitha, D/o.Ashok Kumar, Minor, aged about 6 years, before this Hon'ble Court and hand over her to the petitioner.

For Petitioner : Mr.R.Shankar Ganesh
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor
for R1 and R2

O R D E R

[Order of the Court was made by Dr.G.JAYACHANDRAN, J.]

The petitioner, who is the mother of 6 years old child, has filed this Habeas Corpus Petition alleging that the father of the



child has illegally taken custody of the minor girl. The dispute between the spouse. The petitioner and the third respondent are the mother and father of the girl. For appropriate remedy, the petitioner has to move before the Competent Court for custody of the child and the Habeas Corpus Petition is not maintainable.

2. Hence, this petition is dismissed.

Sd/-
Vacation Officer

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

am / vji

To:

1. The Commissioner of Police,
Madurai City,
Madurai District.
2. The Inspector of Police,
All Women Police Station,
Tallakulam,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.SHANKAR GANESH, Advocate
(SR-24235[F] dated 02/06/2022)

H.C.P.(MD) No.889 of 2022
01.06.2022

SP/08/06/2022/2P/5C