



WEB COPY



H.C.P.No.63 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **19.01.2023**

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR
and
THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

H.C.P.No.63 of 2023

Mathiyalagan

.. Petitioner

Vs

1.The Superintendent of Police,
Thiruvarur District.

2.The Deputy Superintendent of Police,
Thiruthuraipoondi,
Thiruvarur District.

3.The Inspector of Police,
Mannargudi Town Police Station,
Thiruvarur District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus directing the third respondent to produce the petitioner's daughter namely Mouliga, D/o.Mathiyalagan, aged about 21 years, before this Court and set her at liberty.

For Petitioner : Mr.M.Vijayaragavan

For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor



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ORDER

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The petitioner, father of one Mouliga, has filed this writ petition on 05.01.2023 stating that previously he lodged a complaint with the third respondent and a case was registered by the third respondent on 22.12.2022 in Crime No.493 of 2022 for 'Woman Missing'. Thereafter, no action has been taken. From the complaint, it is seen that the petitioner's daughter, who is studying M.Com in Sadasivam Kathirkamavalli Arts and Science College, Mannargudi, was found missing from 21.12.2022 and not returned to home. In the meanwhile, he came to know that his daughter has been illegally detained by one Mahakaviraj somewhere in Chennai.

2. Today, the petitioner as well as his daughter and Mahakaviraj are present before this Court. On enquiry, Mouliga submitted that she and Mahakaviraj were in love from the school days and since both the parents opposed to their relationship, they decided to leave their parental home and get married. They got married in Perumal temple at Poonamallee on 17.01.2023. The said Mahakaviraj is working in WIPRO company and he is a Diploma holder in Engineering and she intends to live with him as husband and wife.



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3. We have also enquired Mahakaviraj. He has stated that he would also intend to take Mouliga with him and lead a matrimonial life. He further submitted that he belongs to Most Backward Community and Mouliga belongs to Scheduled Caste community, his parents will not accept the marriage immediately and he would take steps to convince his parents. He also submitted that in the event of his parents refusing to accept the marriage, then also, he and Mouliga will live as husband and wife in Poonamallee, Chennai, the present workstation. He assures for her safety and proper care.

4. The petitioner and his wife viz., the parents of Mouliga are present. Their apprehension is with regard to safety of their daughter since it is an intercaste marriage.

5. After some interactions between them, now both of them are not having much objection for the marriage of their daughter with Mahakaviraj. They also submit that steps would be taken for having a proper function in future. Learned Additional Public Prosecutor confirms his say. He further submits that he would give appropriate instructions to the respective Inspectors of



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Police, Thiruthuraipoondi Police Station, Mannargudi Police Station and Poonamallee Police Station for advising parents of both Mouliga and Mahakaviraj to maintain peace and accept the relationship and further be live to the situation and take appropriate/immediate action, if the need arises.

6. With the above direction, the habeas corpus petition stands closed.

(M.S., J.) (M.N.K., J.)
19.01.2023

Index : Yes/No
Neutral Citation : Yes/No
mmi

To

- 1.The Superintendent of Police,
Thiruvarur District.
- 2.The Deputy Superintendent of Police,
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Thiruvarur District.
- 3.The Inspector of Police,
Mannargudi Town Police Station,
Thiruvarur District.
- 4.The Public Prosecutor,
High Court, Madras.



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AND
M.NIRMAL KUMAR, J.,
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