



WEB COPY



H.C.P.No.111 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.111 of 2023

S.P.Vinod

S/o.Sadasivan Pillai

..

Petitioner

Vs.

1. The Commissioner of Police
Tambaram Commissionerate,
Sholinganallur, Chennai-600 119.

2. The Inspector of Police
Shankar Nagar Police Station
Chennai-600 075.

3. Sub-Inspector of Police
Shankar Nagar Police Station
Chennai-600 075.

4. Mrs.Asha
W/o.S.P.Vinod

..

Respondents

Petition filed under Article 226 of the Constitution of India praying for
issuance of a writ of habeas corpus to direct the 2nd respondent to produce

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the petitioner minor sons namely, Tarun aged about 3 years and Arun, aged about 2 years before this Hon'ble Court from the illegal custody of the 4th respondent and hand over to the petitioner.

For Petitioner	:	Mr.D.Padmanabhan representing Mr.K.Asokan
For R1 to R3	:	Mr.R.Muniyapparaj Additional Public Prosecutor

ORDER

[Order of the Court was made by M.SUNDAR, J.,]

After some arguments, Mr.D.Padmanabhan, learned counsel representing the counsel on record for petitioner sought leave of this Court to withdraw the captioned 'Habeas Corpus Petition' ['HCP'] but made a request to preserve all the rights and contentions of the petitioner to move the jurisdictional Court or Hon'ble single Judge in this Court *inter alia* under the Guardian and Wards Act, 1890 or for any other relief under Matrimonial Law or any other applicable Statute or code in this Court / any other Fora as it is an issue between the petitioner and fourth respondent who are spouses and their minor children. In this view of the matter, request is acceded.

2. Learned counsel has also made an endorsement in the case file and



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a scanned reproduction of the same is as follows:

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The Petitioner prays to the
Court to withdraw the petition
to warrant is hereby before
the Single bench to file a petition
under Section 13, PMA being a
matrimonial dispute between the
petitioner and her wife.

D. Padmanabhan
20/01/2023
For Counsel for Petitioner

D. PADMANABHAN

3. In the light of the narrative thus far, captioned HCP is disposed of as closed / withdrawn preserving all the rights and contentions of the petitioner in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.)

(M.N.K.,J.)

30.01.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

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M.SUNDAR, J.,
and

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M.NIRMAL KUMAR, J.,

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High Court, Madras.

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