



HCP No.172 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2023

Coram

The Hon'ble Mr. Justice **M.SUNDAR**
and
The Hon'ble Mr. Justice **M.NIRMAL KUMAR**

H.C.P.No.172 of 2023

Jenifer Ashe

.. Petitioner

-VS-

1.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai.

2.Inspector of Police,
All Women Police Station,
Valasaravakkam, Chennai.

3.Nelson Patrick Ashe

.. Respondents

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 person of the petitioner's minor child namely Ian Joseph Ashe, Son of Nelson Patrick, aged about 2 years before this Court and hand over the custody to the petitioner.



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For Petitioner : Mr.S.Sasikumar
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
for R1 and R2

ORDER

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

In the captioned matter, second and third respondents are spouses. The issue is a tussle for custody and guardianship of their two year old child Ian Joseph Ashe between the two parents. Learned counsel sought leave of this Court to withdraw captioned habeas corpus petition but made a request to preserve all the rights and contentions of all the parties to pursue appropriate remedy in appropriate Court or in other Fora.

2. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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Petitioner Granted Permission
to Withdraw the Habeas
Corpus Petition

By Adv. S. Sasikumar
Counsel for Petitioner
7/2/2023

I-see

District: Chennai

HIGH COURT: MADRAS

H.C.P.No. 172 of 2023

HABEAS CORPUS PETITION



General
HCP is order
passed
31/01/23

4851

M/s. S. SASIKUMAR 952/2002
Counsel for Petitioner
98410 60385



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3. Learned counsel reiterates the endorsement in the hearing. Request acceded to.

4. Captioned habeas corpus petition is disposed of as closed without expressing any view or opinion on the merits of the matter and preserving all the rights and contentions of the petitioner and all the parties for pursuing remedies in this Court or any other Court or any other Fora. There shall be no order as to costs.

(M.S., J.) (M.N.K., J.)
07.02.2023

Index:Yes/No
Neutral Citation : Yes/No
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To

- 1.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai.
- 2.The Inspector of Police,
All Women Police Station,
Valasaravakkam, Chennai.
- 3.The Public Prosecutor,
High Court, Madras.



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**M.SUNDAR, J.
and
M.NIRMAL KUMAR, J.**

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