



WEB COPY



HCP No.227 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.227 of 2023

Revathy

W/o.Michealraj

..

Petitioner

Vs.

1. The Superintendent of Police
Salem District Police Office
Nethimedu
Salem
Salem District
2. The Deputy Superintendent of Police
Mettur
Salem District
3. The Inspector of Police
Kolathur Police Station
Salem District
4. Thiru.Michealraj
S/o.Palraj
5. Thiru.Palraj .. Respondents

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Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct fourth respondent to produce the body or person of petitioner's minor son Deeapakraj and minor daughter Chamundeswari, who are aged about 9 and 8 years respectively before this Court and hand over them to the petitioner.

For Petitioner : Mr.M.Madhankumar
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

After some arguments, considering the submission of learned Additional Public Prosecutor that the minor children are with the father (fourth respondent)/petitioner's spouse, learned counsel sought leave of this Court to withdraw the captioned 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of brevity and convenience] but made a request to preserve all the rights and contentions of the petitioner to move single Bench, Division Bench of this Court or any other appropriate Court or fora on the same cause action. Request acceded to.



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

Permitted.
Disputed to be taken
with an in person
(as made in court)
in the presence
of the
Petitioner

3. Learned counsel reiterates the endorsement in the hearing.

4. In the light of the narrative thus far, captioned HCP is disposed of as closed/withdrawn albeit preserving all the rights and contentions of the petitioner in the aforesaid manner. Though obvious, we make it clear that we have not expressed any view or opinion on the merits of the matter.

(M.S.,J.)

(M.N.K.,J.)

13.02.2023

Index: Yes/No

Neutral Citation : Yes / No

gpa



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HCP No.227 of 2023

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

gpa

To

1. The Superintendent of Police
Salem District Police Office
Nethimedu
Salem
Salem District
2. The Deputy Superintendent of Police
Mettur
Salem District
3. The Inspector of Police
Kolathur Police Station
Salem District
4. The Public Prosecutor
Madras High Court

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