



WEB COPY



HCP(MD)No.1293 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.(MD)No.1293 of 2023

Raheena Beevi

: Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
All Women Police Station,
Rameswaram,
Ramanathapuram District.

3.Abbas Ali

4.Farook Ali

5.Raviythammal

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India
to issue a writ of Habeas Corpus, directing the respondents 1 and 2 to



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secure the minor son namely Abdul Ahadu S/o.Abbas Ali aged about 7 years, from the illegal custody of the third to fifth respondents and produce him before this Hon'ble Court and handover the custody to the petitioner.

For Petitioner : Mr.B.Arun

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

O R D E R

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

When the matter was taken up, it came to light that respondents 3 to 5 along with the son of HCP petitioner and third respondent are available in the address given in the short cause title.

2.Learned Counsel sought leave of this Court to withdraw the captioned HCP but made a request to preserve all the rights and contentions of the HCP petitioner to move the family Court and/or GAWA Court [to be noted 'GAWA' stands for 'Guardians and Wards Act'] with a suitable prayer. Request acceded to.

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



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To Permit to withdraw
this application. liberty to
approached family Court
P.A. 12.21/15
(B.A.R.O.N.)
Counsel for Petitioner
(B.A.R.O.N.)

4. In the light of the narrative thus far, captioned HCP is dismissed as withdrawn albeit preserving all the contentions of petitioner, respondents 3 to 5 and / or any other person concerned with the matter for any proceedings in family Court / GAWA Court or any other connected or collateral proceedings in any court / courts / forum / fora / authority / authorities. Though obvious it is made clear that such court / courts / forum / fora / authority / authorities shall deal with the matter on its own merits and in accordance with law untrammelled by withdrawal of captioned HCP petition. There shall be no order as to costs.

[M.S.,J.] & [R.S.V.,J.]

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Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR

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- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.SUNDAR, J.
and
R.SAKTHIVEL, J.

MR

ORDER MADE IN
H.C.P.(MD)No.1293 of 2023

30.10.2023