



H.C.P(MD)No.1476 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2023

CORAM :

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

H.C.P(MD)No.1476 of 2023

Tamilselvi

... Petitioner

vs.

1. The Superintendent of Police,
Madurai District, Madurai.

2. The Inspector of Police,
Peraiyur Police Station,
Peraiyur, Madurai District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents to produce the body or person of the detainee namely Mahalakshmi, daughter of Ramar, aged 22 years before this Court and set her at liberty forthwith.

For Petitioner

: Mr.K.Anandraj

For Respondent Nos.1 & 2

: Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

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

Captioned 'Habeas Corpus Petition' ['HCP' for the sake of brevity] has been filed in this Court on 22.11.2023.

2. When the matter was taken up, it came to light that there is no averment of illegal detention or unlawful custody of HCP petitioner's daughter.

3. Mr.T.Vadivelan, learned counsel on record for HCP petitioner 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 and or anyone concerned for the absentee. Request acceded to.

4. Endorsement made by learned counsel on record for HCP petitioner in the case file is as follows:

Permit to withdraw this
Petition by
[Signature]
Counsel for Petitioner
27/11/2023.



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5. In the light of the narrative thus far, captioned HCP is disposed of as closed/withdrawn albeit preserving all the rights and contentions of the HCP petitioner and or anyone concerned for the absentee to approach the appropriate Court / Courts / Forum / Fora / Authority/ Authorities, with suitable prayers/petitions. Though obvious, we make it clear that the appropriate Court / Courts / Forum / Fora / Authority/ Authorities shall consider the matter on its own merits and in accordance with law de hors the closure/withdrawal of captioned HCP.

6. This Court also makes it clear that rights and contentions of the HCP petitioner and or anyone concerned for the absentee are preserved for coming back to this Court with a similar/same prayer if there is any change in circumstances. There shall be no order as to costs.

(M.S., J.) (R.S.V., J.)
27.11.2023

Index : Yes/No
Neutral Citation : Yes/No
PKN



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To

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1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Peraiyur Police Station,
Peraiyur, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

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ORDER MADE IN
H.C.P(MD)No.1476 of 2023

27.11.2023