



H.C.P(MD)No.1561 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2023

CORAM :

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

H.C.P(MD)No.1561 of 2023

Maria Selvam

... Petitioner

vs.

State rep by

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

2. The Inspector of Police,
Sivalaperi Police Station,
Tirunelveli District.

3. Ajith

4. Santhi

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the detenue namely Stella Mary aged 22 years, daughter of Sebasthiyaraj before this Court and set her liberty.

For Petitioner : Mr.B.Kumaresan for Mr.S.Muniyandi
For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

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

When the captioned 'Habeas Corpus Petition' [hereinafter 'HCP' for brevity] was taken up, Mr.B.Kumaresan, learned counsel representing the counsel on record for HCP petitioner sought leave of this Court to withdraw the captioned HCP. Learned counsel has made the following endorsement in the case file and a scanned reproduction of the same is as follows:

2. Learned counsel made a request to preserve all the rights and contentions of HCP petitioner and / or any one concerned for the absentee [we are referring HCP petitioner's daughter as 'absentee' solely for the sake of convenience] to approach any other Court / Courts / Forum / Fora / Authorities are approached with suitable petition/s.



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3. All the rights contentions of HCP petitioner and / or any one concerned for the absentee are preserved in this regard. If any Court / Courts / Forum / Fora / Authorities are approached, the same shall deal with the matter on its own merits and in accordance with law untrammelled by closure / withdrawal of captioned HCP.

4. We also make it clear that the rights of HCP petitioner and / or any one concerned for the absentee, are preserved for coming back to this Court with similar / same prayer if there is any change in circumstances.

5. In the light of the narrative thus far, captioned HCP is disposed of / withdrawn albeit with aforementioned observation and preservation of rights in the aforesaid manner. There shall be no order as to costs.

(M.S., J.) (R.S.V., J.)
13.12.2023

Index : Yes / No
Neutral Citation : Yes / No
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