



W.P.No.616 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.616 of 2024

G.Praveen Kumar

.. Petitioner

VS

1.The District Social Welfare Officer,
Collectorate Office Campus,
Coimbatore - 641 018.

2.S.Priyadarshini

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 1st respondent to facilitate the petitioner to see his new born child based on his representation dated 20.12.2023.

For Petitioner : Mr.P.Rajendrakumar

For Respondents : Mr.Vadiveu Deenadayalan
Additional Government Pleader
for R1
Ms.S.Pooja Shree
for R2

ORDER

In this writ petition, the petitioner seeks a mandamus directing the District Social Welfare Officer / R1 to facilitate the petitioner to see his new born child based on his representation



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dated 20.12.2023. Such a prayer is totally outside the scope of intervention by this Court. However, as a measure of attempting a resolution between the parties, if they are so inclined, the following order was passed on 11.12.2024:-

"Mr.Vadivelu Deenadayalan, learned Additional Government Pleader accepts notice for R1 and seeks some time to obtain instructions and file a counter.

2. Notice through Court as well as privately to R2, returnable 30.01.2024 accompanied by a copy of this order. Proof of service be placed on file.

3. Upon a reading of the affidavit filed in support of the Writ Petition, there is really no cause for intervention under Article 226 of the Constitution of India. However, Mr.Vadivelu states that a representation has been filed by the petitioner before the District Social Welfare Officer/R1 to mediate between himself and R2, his wife, and sort out the problems in the family and also specifically, to enable him to see his baby boy, born on 12.12.2023. The officer has commenced the enquiry and thus, in the circumstances of this particular case, this Court leaves it to the parties to arrive at an amicable settlement.

4. Notice has been issued to the parties to appear before R1 on 22.01.2024. There is no need for the matter to be kept pending till 22.01.2024. Let R1 take immediate steps to attempt re-conciliation, if the parties are willing, take the assistance of a trained counsellor if need be and file a status report before this Court on the next date of hearing.

5. List on 30.01.2024 at the end of admission list. Status report by then with an advance copy served upon the petitioner."



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2. Today, a status report has been filed by the District Social Welfare Officer / R1 to the effect that there is no possibility of resolution as the private respondent has made several allegations of cruelty as against the petitioner and she also states that proceedings are underway for formal separation of marriage between the parties as the private respondent had issued legal notice on 24.11.2023 to him.

3. Recording the aforesaid, writ petition is closed as is the connected miscellaneous petition. No costs.

30.01.2024

Index:Yes/No
Neutral Citation:Yes
ssm

To

The District Social Welfare Officer,
Collectorate Office Campus,
Coimbatore - 641 018.



WEB COPY



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DR. ANITA SUMANTH,J.

ssm

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