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HCP.No.1091 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.1091 of 2024

1.Chinthamani
2.Jayakanthan

... Petitioners

Vs.

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

2.The Inspector of Police,
Paramathivelur Police Station,
Paramathivelur,
Namakkal District.

3.Meiyaarasan

... 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 produce petitioners granddaughter namely Dakshanya Minor Child, now aged about 5 years, before this Hon'ble Court from the custody of the 3rd respondent.



HCP.No.1091 of 2024

WEB COPY

For Petitioner	: Mr.A.Sundara Vadhanan
For R1 & R2	: Mr.E.Raj Thilak, Additional Public Prosecutor assisted by Mr.C. Aravind
For R3	: Mr.R.Sasikumar for M/s.V.R.Appaswamee

ORDER

M.S.RAMESH, J.
AND
SUNDER MOHAN, J.

The petitioners herein are the grantparents of a minor child, Dakshanya, aged about 5 years, who is the daughter of the third respondent herein. The third respondent's wife had died on 25.07.2020. Complaining that the third respondent is preventing the grandparents from visiting his child, the present Habeas Corpus Petition has been filed.

2.Through an interim order passed by this Court on 15.05.2024, the third respondent was directed to permit the petitioners to visit the grandchild and interact with her between 05.00 p.m. to 07.00 p.m on every Saturday.

3.It is now stated by the learned counsel for the third respondent



HCP.No.1091 of 2024

that the order passed by this Court on 15.05.2024 has been complied with and the grandparents are visiting their grandchild in compliance of the said order.

4.It is now represented by both the learned counsel that the visitation time can be modified to 10.00 a.m. to 1.00 p.m on every Sunday instead of 05.00 p.m. To 07.00 p.m on every Saturday.

5.This Court is now inclined to consider such request.

6.Since the custody of the minor child Dakshanya with her father does not deem to be illegal, no orders are required to be passed in the present Habeas Corpus Petition. However, the petitioners being the grandparents of the minor child are at liberty to visit the minor child Dakshanya, who is in the care and protection of the third respondent herein between 10.00 a.m. to 1.00 p.m on every Sunday. The third respondent shall permit such visitation and provide every convenience during the visitation hours.



HCP.No.1091 of 2024

WEB COPY

7. With the above direction, the Habeas Corpus Petition stands closed. No costs.

[M.S.R., J]

[S.M., J]

11.06.2024

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Tsg

To

1. The Superintendent of Police,
Vellore District.

2. The State rep. by Inspector of Police,
Paradarami Police Station,
Vellore District.

3. The Public Prosecutor,
High Court, Madras.

M.S.RAMESH, J.
and



WEB COPY



HCP.No.1091 of 2024

SUNDER MOHAN, J.

Tsg

H.C.P.No.1091 of 2024

11.06.2024