



W.P.No.24897 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.24897 of 2022

Swetha Sonwani

... Petitioner

Vs

1. The Member,
The Child Welfare Committee,
Kancheepuram,
Kancheepuram District.

2. The Chairman,
The Child Welfare Committee,
Raipur District – 492001,
Chattishgarh.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the second respondent to
implement the order of the first respondent dated 19.05.2021 in Lr. No.
54/CWC/2021 within a time frame to be fixed by this Court.



W.P.No.24897 of 2022

For Petitioner : Mr. K.Anandharaja

For Respondents : Mr. S.Arumugam,
Government Advocate

O R D E R

This Writ Petition has been filed for directing the second respondent to implement the order of the first respondent dated 19.05.2021 in Lr. No. 54/CWC/2021.

2. On a perusal of the order dated 19.05.2021 passed by the first respondent, it reveals that directed the second respondent to take necessary action to hand over the child to the petitioner. The first respondent cannot act as a Court to hand over the custody of child. It has gone into by evidence before the Family Court. Therefore, the said direction issued by the first respondent cannot be implemented and the Writ Petition is devoid of merits and it is liable to be dismissed.



W.P.No.24897 of 2022

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3. Accordingly, this Writ Petition is dismissed. However, the petitioner is at liberty to approach the Family Court for appropriate relief, if she is so advised. No costs.

25.06.2024

Index:Yes/No

Neutral Citation/Yes/No

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To

1. The Member,
The Child Welfare Committee,
Kancheepuram,
Kancheepuram District.
2. The Chairman,
The Child Welfare Committee,
Raipur District – 492001,
Chattishgarh.



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W.P.No.24897 of 2022

G.K.ILANTHIRAIYAN, J.

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W.P.No.24897 of 2022

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