



H.C.P.(MD) No.1305 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

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S. Marimuthusamy

... Petitioner

-VS-

1. The Superintendent of Police
Viruthunagar District
Collectorate, Virudhunagar.
2. The Deputy Superintendent of Police
Srivilliputhur Range,
Srivilliputhur Post,
Virudhunagar District
3. The Inspector of Police
Krishnankoil Police Station,
Krishnankovil post,
Virudhunagar District.
4. Matha
5. Manikandan
6. M.Diwakaran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 to3 to produce the body or person of the petitioner's daughter namely Selvi. Malavika,



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D/o.S.Marimuthusamy aged about 20 years before this Court and set her at liberty.

For Petitioner : Mr. M.Saravanakumar

For R1 to R3 : Mr.T.Senthilkumar
Additional Public Prosecutor

ORDER

The Habeus Corpus Petition has been filed by the father expressing that his daughter who was studying B.Tech, Computer Science, III year in a reputed college at Krishnankovil was missing from the hostel on and from 24.09.2024. Thereafter he made complaint before the third respondent, Inspector of Police, Krishnankoil Police Station, Virudhungar District on 25.09.2024. In the petition he had also impleaded the respondents 4 to 6 and it was his apprehension that his daughter would have moved away from her natural place of residence/hostel with the sixth respondent.

2. The learned Additional Public Prosecutor had entered appearance on behalf of the respondents 1 to 3 and the detainee had been produced and the matter was listed on 21.10.2024.



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3. We had directed the detinue to go over with the respondents 4 and 5. We had sought assistance of the Mediation and Conciliation Centre attached to this Bench to appoint a mediator to offer a platform to the parents to talk this issue over. Unfortunately, this said session could not proceed in the manner expected. But we are informed that once again efforts have been taken by the mediation centre to resolve the issue. The petitioner and his wife are present today. The young girl is also present. The fourth respondent/mother of the sixth respondents is also present. They are in agreement with the continuation of the studies of the young girl and she also stated that she is prepared to continue with her studies by staying in the hostel. So far as fees for the hostel is concerned, both the petitioner and the fourth respondent have come forward to pay the fees.

4. We would not enter into that particular aspect and one of them must take the opportunity of paying the fees for the hostel and for further years of study of the daughter of the petitioner.

5. Since she is now under the lawful custody and agreed to go back to hostel, we close the Habeas Corpus Petition. However the learned



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counsel appearing for the petitioner placed a request that platform must be provided for the petitioner, his wife, fourth respondent and his daughter to have a discussion among themselves in the presence of the mediator.

6. We would therefore relegate them to the Mediation and Conciliation Centre attached to this Bench and we would place a request to the centre that an experienced mediator may be nominated who will be able to examine the issue and bring about an amicable solution.

7. The Habeus Corpus petition stands closed.

[C.V.K., J.] [R.P., J.]
25.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

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Krishnankovil post,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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