



HCP(MD)No.1462 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2024

CORAM :

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

HCP(MD)No.1462 of 2023

Latha

... Petitioner

vs.

1. The Superintendent of Police,
Ramanathapuram District.

2. The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.

3. Arumugam

4. Padma

5. Pavithra

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents herein to secure and produce the body or person of the detainee namely Vidhusa, D/o. Arunkumar, aged about 3 years who was illegally detained by the respondents 3 to 5 before this Court and hand over the custody of the detainee to the petitioner.

For Petitioner : Mr.C.Senthil Murugan



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For R1 & R2 : Mr.RMS.Sethuraman
Additional Public Prosecutor
For R3 & R4 : Mr.B.Arun

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ORDER

DR.G.JAYACHANDRAN, J.
and
C.KUMARAPPAN, J.

Taking advantage of the absence of the petitioner's husband who is working in abroad, custody of 3 year old girl child been illegally taken away by the mother-in-law, father-in-law and sister-in-law of the petitioner who are the private respondents herein, the present HCP is filed by the mother of the girl child.

2. This Court after entertaining the petition has referred the matter to mediation so that the parties may arrive at some amicable settlement. However, the mediation report says that the parties are not ready for amicable settlement. This is a matter where full trial has to be conducted to ascertain whether the petitioner is entitled for guardianship of the minor girl.

3. Hence, the Habeas Corpus Petition is dismissed with liberty to the petitioner to work out the remedy before the appropriate forum by



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filing appropriate petition under the provisions of Guardian and Wards

Act, 1890. No costs.

(G.J., J.) (C.K., J.)
19.02.2024

Index : Yes / No
Neutral Citation : Yes / No
bala

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