



H.C.P.(MD) No.11 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.01.2024

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**  
**and**  
**THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

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V.Sakthivel

... Petitioner

-vs-

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

2.The Inspector of Police,  
Vedasanthur Police Station,  
Dindigul District.

3.S.Suresh

4.The Sub-Registrar,  
Vedasanthur Sub Registration Officer,  
Taluk Office Campus,  
Vedasanthur 624 710.

... Respondents

*[4<sup>th</sup> respondent is suo impleaded vide order dated 08.01.2024]*

**PRAYER :** Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the body or person of the detainee namely Balasubramani son of Chellappa Goundard Hindu, aged about 36 years before this Court and set him at liberty.

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For PetitioneR :Mr.R.Sevugaraja  
For R1 & R2 :Mr.RMS.Sethuraman  
Additional Public Prosecutor  
For R3 : Mr.V.Sasikumar

### **ORDER**

*(Order of the court was made by **K.K.RAMAKRISHNAN, J**)*

Alleging that the petitioner's close relative by name Balasubramani, S/o.Chellappa Goundar, aged about 36 years, found missing, the petitioner is said to have given a complaint before the second respondent police. Since no action has been taken by the second respondent ie., police to secure the detenu, the present Habeas Corpus Petition has been filed.

2.According to the petitioner, the detenu have some acres of valuable land. He is an alcoholic addict. His mother is mentally unsound. In order to grab his valuable properties, the third respondent illegally abducted the detenu and confined him in some other place. In such circumstances, he lodged a complaint before the respondent police and filed this Habeas Corpus Petition.



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3.The petitioner, the third respondent, detenu and detenu's mother were present before this Court.

4.The learned counsel for the third respondent submits that the third respondent is also a relative of the petitioner and the detenu was an alcoholic addict. Therefore, as per the instruction of detenu's mother with good intention to rehabilitate the detenu, the third respondent has admitted him in a D-Addiction centre. He further submits that now the detenu is discharged from the D-Addiction centre and living with his mother.

5.The learned Additional Public Prosecutor appearing for the official respondents submits that there is a dispute between the parties over the property standing in the name of the detenu. The petitioner, uncle of the detenue filed the petition without any cause. He also submits that the detenu has been admitted in the D-Addication Centre and discharged and set at liberty. Now, detenue is with his mother.



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6. In view of the facts and circumstances of the case and also considering the fact that the valuable property stands in the name of the detenu and there is an attempt to grab the property using the detenu's situation, the Sub-Registrar, Vedasandur Sub Registration Office, Taluk Office Campus, Vedasanthur Pin-624710, is *suo motu* impleaded as a party respondent to this proceedings and directed not to register any document without the permission of the competent civil Court, in the interest of the detenu.

7. Since the detenu along with his mother appeared before this Court and stated that detenu is admitted in the D-addiction Centre and discharged, the Habeas Corpus Petition is disposed in the following terms:

(i)The detenu is not in illegal custody and hence, no further orders are required to be passed.



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(ii)The Sub-Registrar, Vendasandur Sub Registration Office, Taluk

Office Campus, Vedasanthur Pin-624710, is hereby directed not to register any document without the permission of the competent civil Court relating to the properties stands in the name of the detenu.

**[J.N.B.,J.] & [K.K.R.K,J.]**  
**08.01.2024**

Index : Yes / No  
Internet : Yes / No  
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To

- 1.The Superintendent of Police,  
Dindigul District, Dindigul.
- 2.The Inspector of Police,  
Vedasanthur Police Station,  
Dindigul District.
- 3.The Sub Registrar,  
Vendasandur Sub Registration Office,  
Taluk Office Campus,  
Vedasanthur Pin-624710.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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**J.NISHA BANU, J.**  
**and**  
**K.K.RAMAKRISHNAN, J.**

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**ORDER MADE IN**  
**H.C.P.(MD) No.11 of 2024**

**08.01.2024**