



H.C.P.(MD)No.119 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.01.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

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Rukumani

... Petitioner

Vs.

- 1.The State of Tamilnadu,
Rep by the Superintendent of Police,
Dindigul District, Dindigul.
- 2.The Superintendent of Police,
Madurai District,
Madurai.
- 3.The Inspector of Police,
Kodaikanal Town Police Station,
Kodaikanal, Dindigul District.
- 4.The Inspector of Police,
Appanthiruppathi Police Station,
Appanthiruppathi,
Madurai District.
- 5.S.Padmavathi
- 6.S.Sainaren



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7.The CEO/Founder,
Peace Rescue Palace,
No.421 - 427, Singapore Nagar,
Kalamppatti, Alagarkovil,
Madurai - 625014.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, directing the Respondents 1 to 4 to secure detainee namely the petitioner's son by name Sivaraj, S/o.Late Shankar, aged about 58 years and to produce the body or corpus of the detainee before this Court and set him at liberty.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.T.Senthilkumar,
Addl. Public Prosecutor for R1 to R4.
Mr.P.T.Ramesh Raja for R5 & R6.

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The petitioner / Rukumani is the mother of the detainee / Sivaraj who is aged about 58 years. Sivaraj has been admitted in a de-addiction centre at Alagarkovil. The petitioner alleges that her son has been



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admitted by her daughter-in-law and grandson / Sainaren against her son's will. She would further allege that this was for property reason.

3.We issued notice. Sivaraj appeared before us. He states that he does not want to continue to be in the de-addiction centre. He wants to be set at liberty.

4.Since Sivaraj is aged about 58 years, he cannot be detained against his will. Rukumani, the petitioner herein states that her son can be with her. The sixth respondent does not want to keep his father with him on the ground that he is alcoholic. It is also stated that Sivaraj was earlier detained under Tamil Nadu Act 14 of 1982.

5.We restrain Sivaraj from interfering with the life of his wife / Padmavathi and son / Sainaren. If he does so, the jurisdictional police will immediately take action in the matter. Sainaren undertakes before us that he will pay a sum of Rs.20,000/- towards maintenance of his father. Sivaraj shall furnish the account details to his son. The liability of Sainaren to deposit a sum of Rs.20,000/- for his father's maintenance will commence from 1st February, 2025 onwards.



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6.We make it clear that the legal proceedings instituted by the parties against each other can independently go on. The order now passed in this habeas corpus petition will not be referred to or relied upon. Sivaraj is at liberty to choose his life. He shall not be admitted in the seventh respondent home against his will.

7.This habeas corpus petition is disposed of accordingly.

(G.R.S. J.) & (R.P. J.)
29.01.2025

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

- 1.The Superintendent of Police, Dindigul District, Dindigul.
- 2.The Superintendent of Police, Madurai District, Madurai.
- 3.The Inspector of Police, Kodaikanal Town Police Station, Kodaikanal, Dindigul District.
- 4.The Inspector of Police, Appanthiruppathi Police Station, Appanthiruppathi, Madurai District.
- 5.The CEO/Founder, Peace Rescue Palace,
No.421 - 427, Singapore Nagar, Kalamppatti, Alagarkovil,
Madurai - 625014.

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6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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