



W.P(MD)No.10419 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.04.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.10419 of 2025
and WMP(MD) No.7780 of 2025

V.Samuel Devaraj

... Petitioner

Vs

1. The State Rep. By,
The Superintendent of Police,
Theni District,
Theni.

2. The Deputy Superintendent Of Police,
Uthamapalayam,
Theni District.

3. The Inspector of Police,
All Women Police Station,
Uthamapalayam,
Theni..

4. V.Nisha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 not to interfere with the dispute regarding the custody of child between the petitioner and the 4th respondent on the basis of the petitioners representation dated 24.03.2025.



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For Petitioner : Mr.R.Shankar Ganesh
For Respondents : Mr.R.M.Anbunithi (R1-R3)
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the respondents 2 and 3 not to interfere with the dispute regarding the custody of child between the petitioner and the 4th respondent on the basis of the petitioners representation dated 24.03.2025.

2.According to the petitioner, there is a matrimonial dispute between the petitioner and the 4th respondent. They have a male child and he is in the custody of the petitioner. While so, the 4th respondent has lodged a complaint before the 3rd respondent. Taking advantage of the same, the 3rd respondent compelling the petitioner to hand over the child to the 4th respondent, therefore, the petitioner sent a representation dated 24.03.2025, but the same has not been considered. Hence this petition.



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3.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner's representation is under consideration and due to matrimonial dispute between the petitioner and the 4th respondent, the 4th respondent has also lodged a complaint against the petitioner. They will consider both the complaint of the 4th respondent and the representation of the petitioner within a period of 15 days.

4.Considering the limited scope of the prayer sought for in this petition, this Court, without even issuing notice to the private respondent, is inclined to pass orders.

5.According to the petitioner, the 3rd respondent is compelling the petitioner to hand over the child to the 4th respondent and the 3rd respondent has denied the said allegations and stated that they have called the petitioner only for enquiry based on the complaint given by the petitioner.

6.In view of the above, this Court hereby directs the 3rd respondent to consider the representation of the petitioner along with the



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complaint of the 4th respondent and dispose the same within a period of 15 days from the date of this order, after affording opportunities to both parties and in accordance with law.

7.With the above observations and directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed.

16.04.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
PNM

To
The Superintendent of Police,
Theni District,
Theni.

2. The Deputy Superintendent Of Police,
Uthamapalayam,
Theni District.

3. The Inspector of Police,
All Women Police Station,
Uthamapalayam,
Theni..

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



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P.DHANABAL, J.

PNM

ORDER IN
W.P(MD)No.10419 of 2025
and WMP(MD) No.7780 of 2025

16.04.2025