



H.C.P.(MD)No.1081 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2025

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

H.C.P.(MD)No.1081 of 2025

S.Ramesh

... Petitioner

-VS-

1. The State of Tamilnadu,
Rep. By the Commissioner of Police,
Madurai City,
Madurai.

2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.

3. Vijayalakshmi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to direct the respondents to produce the petitioner's minor daughter / detenue or body of the detenue namely R.Nandhini, D/o.Ramesh, aged about 17 years before this Court and handover the custody to the petitioner.



H.C.P.(MD)No.1081 of 2025

For Petitioner : Mr.K.R.Manimaran
For Respondents : Mr.A.Thiruvadikumar,
Addl. Public Prosecutor for R1 & R2

ORDER

(Order of the Court was made by C.V.Karthikeyan, J.)

This Habeas Corpus Petition has been filed complaining that the daughter of the petitioner, who is studying in 12th standard and aged about 16 years, has been under the custody of the 3rd respondent and though there was an order by Family Court at Madurai in H.M.O.P.No. 210 of 2012 dated 09.12.2015, permitting the petitioner to meet his daughter, he was not able to do so. It is also contended that the marriage between the petitioner and the 3rd respondent had been dissolved by the Family Court at Madurai in H.M.O.P.No.210 of 2012, by judgment dated 09.12.2015. The petitioner had also filed G.W.O.P.No.911 of 2023 again before the Family Court at Madurai, seeking to appoint him as guardian.



H.C.P.(MD)No.1081 of 2025

WEB COPY

2. We had not directed notice to the 3rd respondent, but rather placed a request to the 2nd respondent to file a status report. The 2nd respondent has filed a status report, in which it had been stated as follows:

“5. I humbly submit that, as per the orders of this Hon'ble Court, the 2nd respondent police repeatedly contact the petitioner herein and requested him to appear for enquiry, but the petitioner herein did not appear for enquiry, hence the respondent police contacted him over his mobile phone and came to know that in the said divorce order, the family Court permitted the petitioner herein to visit his daughter once in every month and as per the orders of the said Court, the petitioner herein visited his daughter, but after some period, the 3rd respondent herein refused the petitioner herein to visit his daughter.

6. I humbly submit that the 2nd respondent police obtained the phone number of the 3rd respondent herein from the 2nd respondent and contacted the 3rd respondent herein over her mobile phone, but the 3rd respondent herein did not disclose her present residence address and she refused to visit the police station, further she requested to appear for enquiry in the public place, hence the 2nd respondent police directed



H.C.P.(MD)No.1081 of 2025

WEB COPY

one women Sub Inspector of Police namely Selvakumari to conduct the enquiry and she conducted enquiry with the 3rd respondent and her daughter Nandhini at SVK Bakery (located near to Saint Mary Church at Keelavasal, Madurai) and during the enquiry, the 3rd respondent herein stated that she is living along with her father and her daughter also living happily along with her family and she is studying 12th standard. Further during the enquiry with the said Nandhini (who is the detenue herein) aged about 16 years, she stated that she is studying 12th standard at Stella Joseph Higher Secondary Matriculation School at Kuyavarpalayam, Madurai and she is living happily along with her mother and grand father. Further she stated that from the date of her birth she living with her mother only and from the year 2022 to mid of 2025, her father has come and meet her, further for the past 6 months she did not meet her father, and also she stated that at the time of her meeting with her father, he spoke unwantedly and she did not like the way of speaking of her father and also she stated that she did not like to meet her father in future. Further they stated that due to her father's torture only they shift their residence and not like to disclose their present residence address.

3. A reading of the same shows that though the petitioner had been contacted over phone to come over for enquiry, he had not



H.C.P.(MD)No.1081 of 2025

responded to such a call. It is also seen that the child is living happily with the 3rd respondent and with her maternal grand father and that she is also studying in a school in Kuyavarpalayam at Madurai. The petitioner will have to workout his remedy in G.W.O.P.No.911 of 2023, which is now pending before the Family Court at Madurai.

4. In view of the above facts, no further directions are required in this Habeas Corpus Petition and accordingly, the same stands closed.

[C.V.K., J.]

[R.V., J.]

vsm

24.10.2025

To

1. The Commissioner of Police,
The State of Tamilnadu,
Madurai City, Madurai.
2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Maduras High Court,
Madurai.



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H.C.P.(MD)No.1081 of 2025

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and
R.VIJAYAKUMAR, J.

vsm

H.C.P.(MD)No.1081 of 2025

24.10.2025