

H.C.P.(MD) No.1162 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2025

CORAM:

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

H.C.P.(MD) No.1162 of 2025

Satish Kumar

...Petitioner/Father of Detenues

Vs.

1.The State of Tamil Nadu,
Rep. By its the Commissioner of Police,
City Police Office,
Alagarkovil Main Road,
K.Pudur, Madurai – 625 007.

2.The Inspector of Police,
Theppakulam Police Station,
Madurai.

3.Vairalakshmi Meetah

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 and 2 to secure the petitioner's minor daughters/detenues namely (1)Dhyanaa Satish Kumar D/o. Satish Kumar Dinakaran aged 10 years and (2) Viyankhaa Satish Kumar D/o.Satish Kumar Dinakaran, aged 7 years, from the illegal



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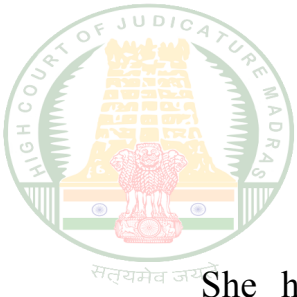
custody of the third respondent and produce them before this Court and hand over the custody to the petitioner.

For Petitioner : Ms.J.Anandhavalli
For R1 & R2 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor
For R3 : M/s.W.Pamelin

ORDER

This petition has been filed by a father complaining that his two daughters aged 10 years and 7 years are now in the illegal custody of the third respondent/his wife/the mother of the two children.

2. It had been contended that the petitioner and the third respondent and their two children were in USA since 2016. A marital dispute has arisen there and the third respondent had taken a conscious decision to move away from the marital life on her own volition and in the interest of her two children and had come over to India. She had also obtained Transfer Certificate of her two daughters and we understand that she had also arranged for the education of her two daughters at Madurai. She had also filed GWOP.No.1279 of 2025 seeking custody of the two children.



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She had also filed HMOP.No.1313 of 2025 seeking dissolution of marriage. Both the petitions are pending before the Family Court, Madurai.

3. The petitioner and the third respondent are present in Court along with two children.

4. The learned counsel for the petitioner made a fervent plea that the matter could be referred to Mediation to enable the parties to attempt to reconcile the issues.

5. A learned counsel represented the third respondent and submitted the present status of two petitions in GWOP.1279 of 2025 and HMOP.No. 1313 of 2025.

6. We had an interaction with the third respondent. She is firm in her decision that she would not re-join with the petitioner herein.



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7. Since the issues relating to the custody of the children are pending before the Family Court, Madurai, it is that particular court which would have jurisdiction to examine all issues relating to guardianship and custody. The parties are firm in their respective stands. We are inclined to close this Habeas Corpus Petition since the two children are not in illegal or unlawful custody of the third respondent. The parties will have to work out their remedy in GWOP.No.1279 of 2025 which is now pending before the Family Court, Madurai relating to the custody of the two children and HMOP.No.1313 of 2025 again pending before the Family Court, Madurai relating to their marital status. The two children have been produced in Court and they have been handed over to the custody of the third respondent.

8. In view of the above stated facts, no further orders are required in this Habeas Corpus Petition and the same is closed.

[C.V.K., J.] [R.V., J.]
19.09.2025

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