



WP(MD). No.11793 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 08/01/2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

WP(MD). No.11793 of 2023

Bala Subramaniyan

... Petitioner

Vs

1.The Commissioner,
Department of Social Defence,
No. 300, Purasawalkam High Road,
Kellys Chennai - 600010.

2.The Joint Director,,
Department of Social Defense,
No.300, Purasaiwalkam High Road,
Kellys, Chennai - 600010.

3.The District Collector/ The Chair Person,
District Child Protection Society,
District Collectorate Campus,
Thoothukudi District.

4.The Child Welfare Committee,
Thoothukudi District,
Thoothukudi.

5.The Inspector of Police,
All Women Police Station,
Thoothukudi.



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6. B.Gomathi Sankari,,
W/o.Balasubramaniyan
(R6 is Impleaded Vide Court Order dated
17.12.2025 in W.M.P(MD)No.12387 of 2023)

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus forbearing the 4th respondent committee for insisting the Petitioner to hand over his children without due process of law.

For Petitioner : Mr.M.Saravanan
for Mr.R.Ponkarthikeyan,

For R1 to R4 : Mr.K.Balasubramani,
Spl. Govt. Pleader

For R5 : Mr.A.Albert James,
Government Advocate (crl.side)

For R6 : Mr.Antony Arulraj

ORDER

This Writ Petition is filed seeking to forbear the fourth respondent committee from insisting that the Petitioner hand over his children without due process of law.



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2.The learned counsel for the petitioner submitted that in the present case, upon receipt of the complaint, the Child Welfare Committee insisted that the petitioner hand over the Children to their mother.

3.The learned counsel for the fourth respondent submitted that the complaint was filed before the child welfare and that after enquiry, the said complaint has been closed.

4.Considering the submissions made by both sides, since the complaint before the Child Welfare Committee has already been closed, the question of forbearing the fourth respondent from insisting that the petitioner hand over the child does not arise. Accordingly, this Writ Petition is dismissed. No costs.

08.01.2026

Internet : Yes/No

Index : Yes/No

NCC : Yes/No

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TO

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Department of Social Defence,
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Kellys Chennai - 600010.

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KRISHNAN RAMASAMY,J

cp

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