

**IN THE HIGH COURT OF ANDHRA PRADESH : AMARAVATI**  
**HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA, CHIEF JUSTICE**  
**&**  
**HON'BLE MR. JUSTICE M. SATYANARAYANA MURTHY**

**WRIT PETITION No. 19644 of 2021**

*(Proceedings through physical mode)*

J. Sunil Babu S/o. J. Prasad Rao,  
Occ: Childrens specialist,  
D.No.9-4-7 Sri Pottisreeramulu street,  
Sullurupeta town and Mandal,  
SPSR Nellore District.

.. Petitioner

Versus

State of Andhra Pradesh,  
Rep.by its Principal Secretary,  
Home Department,  
Secretariat Buidings,  
Velagapudi, Guntur District  
and others.

.. Respondents

Counsel for the petitioner : Mr. Narasimhulu Parise

Counsel for respondent Nos.1 to 4 : G.P. for Home

Counsel for respondent Nos.5 to 9 : Mr. Maheswara Rao Kuncheam

**ORDER (ORAL)**

**Dt: 16.12.2021**

*(per Prashant Kumar Mishra, CJ)*

This petition in the nature of writ of habeas corpus has been preferred by the petitioner, seeking a direction to respondent Nos.2 to 4 to produce his minor son viz., 'Amit Shahar', aged about 7 years, before this Court and set him free.

2. Indisputably, the petitioner is the father of the child 'Amit Shahar' aged about 7 years. After the death of mother of the minor child i.e., petitioner's wife on 14.06.2021, the child was allegedly taken away by respondent Nos.5 to 9 and since then he is residing with them.

3. By the order dated 24.11.2021, we have appointed Mr. P. Veera Reddy, learned Senior Counsel to conduct mediation between the parties and find out the possibility of amicable settlement. Mr. P. Veera Reddy has submitted a report informing this Court that the parties are not willing to settle the matter amicably and the mediation has failed.

4. There is no allegation that the petitioner's son is not treated well by the respondent Nos. 5 to 9 and no such report has been lodged by the petitioner. Respondent No.6 i.e., Eddula Shanthi Swaroop Kumar, maternal uncle of the boy has already preferred G.W.O.P.No.24 of 2021 before the Principal District Court, Ananthapur, which is pending consideration. By order dated 02.11.2021, we allowed the petitioner to visit his son without causing any inconvenience to the child. Learned counsel for the petitioner submits that whenever the petitioner tried to meet his son, the respondent Nos.5 to 9 have tried to create obstruction.

5. Considering the entire factual matrix of the case and for the reason that the petitioner's son is not in the illegal custody and G.W.O.P. is already pending consideration before jurisdictional Principal District Judge, we deem it appropriate to dispose of this writ petition with a direction that the petitioner shall be entitled to meet his son Amit Shahar on first Saturday of every month between 11.00 a.m., and 2.00 p.m. in the office of the Secretary, District Legal Services Authority, Ananthapuram. We expect that the Principal District Judge, Ananthapuram shall expedite the hearing of the G.W.O.P. No.24 of 2021.

6. Before parting with the case, we would record our appreciation for the assistance rendered by the learned Senior Counsel Mr. P. Veera Reddy, who acted as mediator, though the parties have not settled the dispute.

7. With the above observations, this writ petition is disposed of. No costs. Pending miscellaneous applications, if any, shall stand closed.

**PRASHANT KUMAR MISHRA, CJ**

**M. SATYANARAYANA MURTHY, J**

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GM