

H.C.P.No.515 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 05.04.2023

CORAM

**THE HONOURABLE MR.JUSTICE M.SUNDAR**  
and

**THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR**

H.C.P.No.515 of 2023

Lavanya R  
D/o.Rajaraman .T

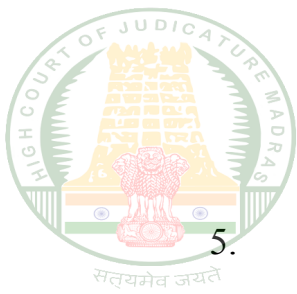
.. Petitioner

Vs.

1. The Commissioner of Police  
Greater Chennai Corporation  
No.132, EVK Sampath Road,  
Vepery, Periyamet,  
Chennai, Tamil Nadu-600 007.
2. Deputy Commissioner of Police  
J-2, Police Station  
Adyar, Chennai-600 020.
3. Assistant Commissioner of Police  
J-2, Police Station  
Adyar, Chennai-600 020.
4. The Inspector of Police  
All Women Police Station  
J2 Police Station  
Adyar, Chennai-600 020.

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5. Thinesh Chandar  
S/o.Andiappan
  6. Andiappan Ramachandran  
S/o.Ramachandran
  7. Amutha Andappan  
W/o.Andiappan Ramachandran
- ..Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the first respondent to produce the petitioner's minor son Aryan Thineshchandar aged about 3 years and 9 months from the illegal custody of the 5<sup>th</sup> to 7<sup>th</sup> respondents before this Hon'ble Court and handover the custody to the petitioner.

For Petitioner	:	Mr.S.R.Rajagopal Senior Advocate instructed by Mr.L.Murali Krishnan
For Respondents	:	Mr.R.Muniyapparaj Additional Public Prosecutor assisted by Mr.N.Narkeeran, Advocate for R1 to R4 Mr.Rahul Jagannathan for R5 to R7

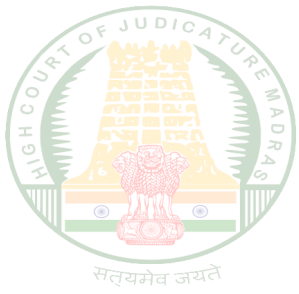
### **ORDER**

**[Order of the Court was made by M.SUNDAR, J.,]**

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 03.04.2023.

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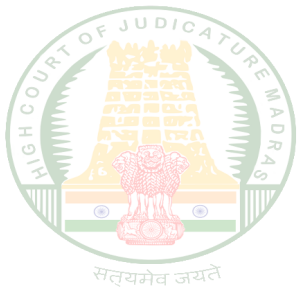
WEB COPY 2. Today, Mr.S.R.Rajagopal, learned Senior Advocate instructed by Mr.L.Murali Krishnan, learned counsel on record for petitioner, Mr.R.Muniyapparaj, learned Additional Public Prosecutor for respondents 1 to 4 (official respondents) and Mr.Rahul Jagannathan, learned counsel for respondents 5 to 7 (private respondents) are before us.

3. Adverting to earlier proceedings, we are informed that the GAWA matter (O.P.No.182 of 2023) is being heard out by a Hon'ble single Judge on the Original Side of this Court and the Hon'ble single Judge has already had one to one interaction with the child.

4. As it is in the nature of a tussle between two parents for guardianship, we drop the curtains on the captioned HCP making it clear that all questions are left open to be raised before Hon'ble single Judge and we request Hon'ble single Judge to proceed with O.P.No.182 of 2023 on its own merits and in accordance with law.

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WEB COPY 5. Captioned HCP disposed of as closed albeit with the  
aforementioned observation. There shall be no order as to costs.

(M.S.,J.)

(M.N.K.,J.)

05.04.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

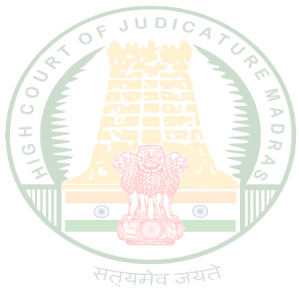
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To

1. The Commissioner of Police  
Greater Chennai Corporation  
No.132, EVK Sampath Road,  
Vepery, Periyamet,  
Chennai, Tamil Nadu-600 007.
2. Deputy Commissioner of Police  
J-2, Police Station  
Adyar, Chennai-600 020.
3. Assistant Commissioner of Police  
J-2, Police Station  
Adyar, Chennai-600 020.
4. The Inspector of Police  
All Women Police Station  
J2 Police Station  
Adyar, Chennai-600 020.
5. The Public Prosecutor  
High Court, Madras.

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**M.SUNDAR, J.,**  
**and**  
**M.NIRMAL KUMAR, J.,**

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