

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2026

CORAM

WEB COPY

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 720 of 2026

Sujatha Manoharan
W/o.Manoharan
No.5 Mari Street, Muthamizil Nagar, Tiruniravur
Tamil Nadu - 602 024

..Petitioner(s)

Vs

1. The Commissioner of Police
The Commissioner of Police
Office of the Avadi City Police Commissioner
HVF Estate, Bhaktavatsala Puram Avadi,
Chennai 600 054
2. The Deputy Commissioner of Police
Office of the Deputy Commissioner of Police,
Avadi Chennai - 600 081
3. The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Narayanasamy Avenue Tiruniravur,
Tamil Nadu - 602 024
4. The Inspector of Police
(Law and Order)
T-11 Tiruniravur Police Station, Tiruniravur -
602 024
5. Vetrivel
S/o.Jayapal
No.178, Tank Street
Kandiyankuppam
Vanapuram
Tiruvannamalai - 606 753



..Respondent(s)

WEB COPY Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus or any other appropriate writ, order or direction in the nature of Writ, directing the 5th respondent to produce the detenuue MINOR CHILDREN NAMELY MOUNIKA AND DHURVA before this Court and also handover them to the petitioner.

For Petitioner(s): Mr.R.Gururaj

For Respondent(s): Mr.R.Muniyapparaj,
Additional Public Prosecutor for R1 to R4
assisted by
Mr.N.Narkeeran

Mr.S.Kumara Devan (for R5)

ORDER

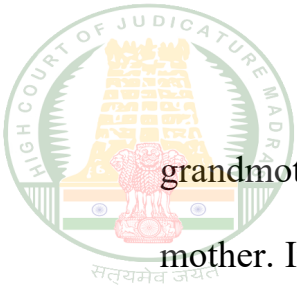
(Order of the Court was made by Dr.Anita Sumanth J.)

The grandmother of minor children Mounika and Dhruva is before this Court seeking their production.

2. We have heard learned counsel and have also conversed with both the petitioner as well as R5.

3. The daughter of the petitioner who was married to R5 had passed away on 05.01.2025. There appear to have been some marital differences between R5 and his wife prior to her demise.

4. Be that as it may, the children have been with their



grandmother/petitioner and the grandfather from the time of demise of the mother. In or around November 2025, R5 has taken them away to his residence.

Aggrieved, the grandmother is before this Court.

5. Since the father is the natural guardian, and in the course of our conversation he has also indicated that he is inclined to have the children with him and bring them up, we see no reason to deny his right. Needless to say, the grand parent should also be allowed access to the children.

6. We have accordingly spoken to both the petitioner and R5 to bear in mind the interests of the children in this regard. We reiterate that R5 being the biological father of the minor children is entitled to the custody of the children subject to any proper proceedings that the parties may take before the appropriate Court seeking guardianship of the children. Cr.No.6 filed by Sujatha / petitioner herein has been closed by the Sivakanchi Police Station as 'action dropped', on 03.04.2026.

7. With this, this Habeas Corpus Petition is closed.

(A.S.M.,J.) (S.M.,J.)
29-04-2026

vs

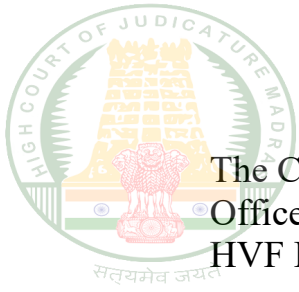
Index: Yes/No

Speaking order

Neutral Citation: Yes

To

1. The Commissioner of Police



The Commissioner of Police
Office of the Avadi City Police Commissioner
HVF Estate, Bhaktavatsala Puram Avadi, Chennai 600 054

WEB COPY

2. The Deputy Commissioner of Police
Office of the Deputy Commissioner of Police,
Avadi Chennai - 600 081
3. The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Narayanasamy Avenue Tiruninravur,
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4. The Inspector of Police
(Law and Order)
T-11 Tiruninravur Police Station, Tiruninravur - 602 024
5. The Public Prosecutor,
High Court, Madras.



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**DR.ANITA SUMANTH J.
AND
SUNDER MOHAN J.**

VS

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