

IN THE HIGH COURT OF KARNATAKA, BANGALORE

DATED THIS THE 20TH DAY OF MAY 2008

PRESENT

THE HON'BLE MR. JUSTICE RAM MOHAN REDDY

AND

THE HON'BLE MR. JUSTICE JAWAD RAHIM

W P (HC) NO.69/2008

BETWEEN:

**MS SHIREEN JOANNA
W/O MR. VINOD VIJAY VICTOR JONATHAN,
277/A, 18TH D MAIN,
6TH BLOCK, KORAMANAGALA,
BANGALORE 97. ... PETITIONER**

(By Sri : V RENJITH SHANKER & ASSOCIATES, ADVS)

AND :

- 1 THE STATE OF KARNATAKA
REPRESENTED BY THE PRINCIPAL
SECRETARY TO THE GOVERNMENT
HOME AND TRANSPORT DEPARTMENT,
VIDHANA SOUDHA,
BANGALORE
KARNATAKA STATE.**
- 2 THE COMMISSIONER OF POLICE
BANGALORE CITY,
BANGALORE,**

JK

KARNATAKA STATE.

- 3 THE INSPECTOR OF POLICE
VIVEKNAGAR POLICE STATION,
VIVEKNAGAR,
BANGALORE
KARNATAKA STATE.
- 4 MR VINOD VIJAY VICTOR JONATHAN
S/O LATE MR. JESUDOSS JONATHAN,
PERMANENLY R/AT 3/96E SIDCONAGAR
VILLIVAKKAM POST, CHENNAI
TAMILNADU 60 049
ALSO HAVING ADDRESS AT;
6001, COLCHESTER
ROAD, FAIR FAX
VIRGINIA 22030 (U.S.A) ... RESPONDENTS

(By Sri : RAMESH KUMAR, HCGP FOR R1 TO R3)

W.P.(HC) FILED U/A 226 & 227 OF THE
CONSTITUTION OF INDIA BY THE ADVOCATE FOR THE
PETITIONER PRAYING TO: DIRECT THE R1 TO R3 TO
ENSURE THAT THE R4 PRODUCES THE MINOR CHILDREN
OF THE PETITIONER, A MINOR GIRL, NAMED ' JUSTINE
JUDITH JONATHAN' @ 'SELENA', BORN ON THE 10TH OF
JULY, 2001 AND NOW AGED 06 1/2 YEARS, A MINOR BOY,
NAMED ' LUKE NATHANIEL JONATHAN' BORN ON THE
2ND JULY, 2004 AND NOW AGED 03 1/2 YEARS, AND
HER THIRD CHILD, A MINOR GIRL, NAMED ' NICOLE
RUTH JONATHAN' BORN ON THE 2ND DAY OF AUGUST,
2005, AND NOW AGED 02 1/2 YEARS RESPECTIVELY,
LAST SEEN AT THE RESIDENCE OF THE MOTHER OF THE
PETITIONER, ON THE 2ND APRIL, 2008, THE ADDRESS
BEING NO. 92, II MAIN ROAD, VIVEK NAGAR FURTHER
EXTENSION, BANGALORE, KARNATAKA STATE 560 047,
TO THE BEST OF THE KNOWLEDGE OF THE PETITIONER.

by

**THIS W.P. COMING ON FOR PRELIMINARY HEARING
THIS DAY, THE COURT MADE THE FOLLOWING:**

ORDER

The mother of the minor children, alleging that her husband-4th respondent kidnapped the children has presented this petition for issue of a writ of habeas corpus directing Respondents 1 to 3 to produce the minor children.

2. Undoubtedly, the petitioner is entitled to invoke the provisions of Guardians and Wards Act, 1890 by filing appropriate petition before the competent Civil Court for relief of guardian ship of the minor children as well as their custody.

3. In that view of the matter, this petition is rejected.

Sd/-
Judge

Sd/-
Judge