

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA**

WRIT PETITION NO: 27216 OF 2026

Between:

Rathalavath Ravi, S/o. Balya, Aged about 38 years, Occ. Driver R/o. H. NO.5-12, Banala Village, Balmoor Mandal, Nagarkurnool District, Telangana-509401.

...PETITIONER

AND

1. State of Telangana, Rep. by its Secretary, Home Department, Secretariat, Opposite. Lumbini Park, Hyderabad-22.
2. The Station House officer, Balmoor Police Station, Nagarkurnool District, Telangana.
3. Rathalavath Saroja, W/o. Ravi, Aged about 30 year, Occ. Housewife,
4. Rathalavath Harini, D/o. Rathalavath Ravi, Aged about 10 years, Occ. Student
5. Rathalavath Gwori, D/o. Rathalavath Ravi, Age about 8 years, Occ. Student. Respondents No.3 to 5 are R/o. H. NO.8-3-2-221D19, Saibalaji Residency, B-Block-301, Madhura Nagar, Opposite.TC Ameerpet Co-Operative Bank, Yousufguda, Hyderabad- 500038. (As per the cause title of DVC No/250/2024)
6. Madala Ajaykumar, S/o. Not Known, Age not known, Occ. Business, Parnasala Curries and Biryani Point, H. No.13-A, Near Swagruha Moti Apts, Kalyan Nagar, Mothinagar, Hyderabad-18.
7. Madala Bhagya Lakshmi, W/o. Ajaykumar, Age not known, Occ. Business, H. No.13-A, Near Swagruha Moti Apts, Kalyan Nagar, Mothinagar, Hyderabad-18.

(Respondents No.4 and 5 are being minors presently Staying with 3rd Respondent/mother)

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ. Order or Direction, more particularly one in the nature of a Writ of Habeas Corpus, directing Respondent Nos. 2 and 3 to secure and produce Respondent Nos. 4 and 5 before this Hon'ble Court, who are unlawfully taken away and illegally detained by Respondent No. 3 with active collusion of respondents No.6 and 7 whose whereabouts have been deliberately concealed from the petitioner, and consequently declare such detention as illegal, arbitrary, unconstitutional, and violative of the fundamental right guaranteed under Article 21 of the Constitution of India, and thereafter set Respondent Nos. 4 and 5 at liberty

I.A. NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd and 3rd Respondents to produce the respondents No.4 and 5 before this Hon'ble Court forthwith, pending disposal of the Writ Petition

Counsel for the Petitioner: SRI. A S NARAYANA

**Counsel for the Respondent Nos. 1 to 4: SRI T. RAVI KUMAR, AGP REP
THE ADVOCATE GENERAL**

Counsel for the Respondent No.5: --

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION No.27216 OF 2026

DATE: 24.08.2026

Between:

Rathalavath Ravi

... Petitioner

And

The State of Telangana,
Represented by its Secretary,
Home Department, Secretariat,
Opp. Lumbini Park,
Hyderabad-22, and six others.

...Respondents

Mr. A.S.Narayana, learned counsel appearing for the petitioner.

Sri T.Ravi Kumar, the learned Assistant Government Pleader representing the learned Additional Advocate General appearing for the respondent Nos.1 to 4.

ORDER: (Per Hon'ble Justice Moushumi Bhattacharya)

1. The present Writ Petition for Habeas Corpus has been filed by the petitioner seeking a direction to the respondent Nos.2 and 3 to produce the respondent Nos.4 and 5 before this Court and to set them at liberty.

2. The petitioner claims to be the father of the alleged detenues, who are his minor daughters, aged 10 and 8 years, respectively. The alleged detenues have been arrayed as the respondent Nos.4 and 5 in the Writ Petition. The respondent No.3 is the wife of the petitioner.

3. Learned counsel appearing for the petitioner submits that the petitioner and the respondent No.3 obtained a divorce by way of a Customary Divorce Deed dated 16.06.2024, pursuant to which the petitioner agreed to jointly bear the educational expenses of the minor children. According to counsel, the respondent No.3 left the matrimonial home and has been residing separately with the minor children since 16.06.2024. Counsel further submits that the petitioner is unaware of the address or whereabouts of the respondent Nos.3 to 5.

4. The Written Instructions placed by the learned Assistant Government Pleader appearing for the State respondents contain photographs of the respondent Nos.3 to 5 at the Borabanda Police Station, S.R. Nagar Division, West Zone. According to the Written Instructions, the photographs were taken when the respondent No.3 along with the minor children,

went to the police station to show that the minor children were in her care and protection.

5. On being specifically questioned, counsel appearing for the petitioner submits that the petitioner had also filed a Guardianship and Wards Original Petition (G.W.O.P.No.4 of 2025) before the learned Principal District and Sessions Judge, Nagarkurnool District at Nagarkurnool. However, the said G.W.O.P. was dismissed for default on 03.10.2025.

6. Admittedly, the petitioner has not taken any steps for restoration of the G.W.O.P. till date. This is also the stand taken by counsel appearing for the petitioner.

7. Considering the submission of counsel appearing for the petitioner that the petitioner seeks to know the present location and address of the respondent Nos.3 to 5, we deem it appropriate to hold that such a prayer cannot be granted in the present Writ Petition. This is particularly so, since the petitioner has not taken any steps to pursue the G.W.O.P filed by him seeking custody of the minor children. Furthermore, the petitioner and the respondent No.3 were divorced by way of a Customary Divorce Deed dated 16.06.2024. Therefore, any further relief sought for by the petitioner with regard to the

custody of the alleged detenues can only be made before the competent Family Court.

8. W.P.No.27216 of 2026, along with all connected applications, is accordingly dismissed. There shall be no order as to costs.

//TRUE COPY//

SD/- B.REKHA RANI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to SRI. A S NARAYANA Advocate [OPUC]
2. Two CCs to THE ADVOCATE GENERAL High Court for the State of Telangana, at Hyderabad [OUT]
3. Two CD Copies

Bm

TKS

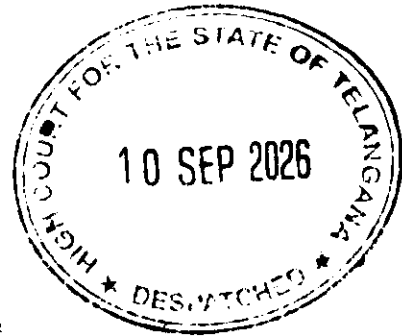
19/8

HIGH COURT

DATED: 24/08/2026

ORDER

WP.No.27216 of 2026



DISMISSING THE WRIT PETITION WITHOUT COSTS

G. copies
KJ.
8/9/26