

*** THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI**
*** THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR**
CHINTALAPUDI

WRIT PETITION NO: 20367 OF 2026

% 30.07.2026

Pilli Venkata Chinni Krishna

.....petitioner

And:

\$ State of Andhra Pradesh & 3 others

.... respondents

!Counsel for the petitioner

: Ms. Kodati Ramya Krishna

^Counsel for the respondents

: Sri J.Krishna Praneeth, learned
Assistant Government Pleader

<Gist:

>Head Note:

? Cases referred:

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

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WRIT PETITION NO: 20367 OF 2026**Between:**

Pilli Venkata Chinni Krishna

..... PETITIONER**AND**

State of Andhra Pradesh & 3 others

....RESPONDENTS**DATE OF JUDGMENT RESERVED :****DATE OF JUDGMENT PRONOUNCED : 30.07.2026****DATE OF JUDGMENT UPLOADED : 31.07.2026****SUBMITTED FOR APPROVAL:****THE HON'BLE SRI JUSTICE RAVI NATH TILHARI****&****THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR
CHINTALAPUDI**

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|---|--------|
| 1. Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be marked to Law Reporters/Journals | Yes/No |
| 3. Whether Your Lordships wish to see the fair copy of the Judgment? | Yes/No |

RAVI NATH TILHARI,J

PURUSHOTTAM KUMAR CHINTALAPUDI,J

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR
CHINTALAPUDI

WRIT PETITION NO: 20367 OF 2026

ORDER: *(per Ravi Nath Tilhari, J)*

This petition for a writ of Habeas Corpus has been filed by the husband seeking custody of his wife namely Morthala Rohini, said to be in the illegal custody/detention of respondent No.4-father.

2. Ms.Kodati Ramya Krishna, learned counsel for the petitioner submits that the petition has been rendered infructuous. The detenu has returned to the matrimonial home and she is living with the petitioner-husband.

3. Sri J.Krishna Praneeth, learned Assistant Government Pleader for the respondent Nos.1 to 3 has pointed out that previously also the petitioner-husband filed W.P.No.18364 of 2026 for the same prayer. In the said petition the detenu (wife) appeared and after recording her statement, W.P.No.18364 of 2026 was dismissed as the alleged detenu expressed her willingness to remain with her parents and submitted that she was living with them on her own free will.

4. Learned counsel for the petitioner-husband submits that there after the wife came to the petitioner and started living with him but again she went back and so, this petition for Habeas Corpus was filed but in the

meantime, she again returned and started living with the petitioner and therefore, this petition has been rendered infructuous.

5. We reproduce the order dated 10.07.2026 passed in W.P.No.18364 of 2026 previously filed by the same petitioner-husband:

“Heard Sri M. Solomon Raju, learned counsel for the petitioner and Sri J. Krishna Praneeth, learned Assistant Government Pleader, O/o. Advocate General for the respondents 1 to 6.

2. 7th respondent is the father of the alleged detainee. He is present.

3. The petitioner is also present.

4. The alleged detainee viz., Morthala Rohini has been produced before this Court pursuant to the order dated 08.07.2026 by 3rd respondent R. Naveen, Sub Inspector of Police, Mangalagiri Rural Police Station, Guntur District and 6th respondent G. Srinivasa Rao, Sub Inspector of Police, Vemuru Police Station, Bapatla District along with lady constable.

5. The petitioner’s case is that the petitioner and the alleged detainee have married. Both are majors.

6. After being satisfied with the identification of the detainee being produced by the police officials respondents 3 and 6, on the specific query to her, she said about her name, age and marriage. She submitted that she is married to the petitioner present in the Court, but she expressed her willingness to remain with her parents submitting that she is living with them of her own free will.

7. Recording the same, the writ petition for Habeas Corpus is dismissed.

8. However, the petitioner shall be at liberty to take recourse to such other legal proceedings as may be opened to him under law and as may be advised.

9. No order as to costs.”

6. We are of the view in the facts and circumstances of the present case as narrated above that it is not a case of any illegal detention. The wife is sometimes living with the husband and then leaving him, she returns to her parental home and again goes to the husband at her own will. It appears to us to be a matrimonial dispute. The remedy is not a writ of Habeas Corpus, if the wife is leaving the husband, again and again the remedy lies before other forum and under different statute and not by way of Habeas Corpus, as there is no question of any detention much less an illegal detention.

7. Filing of the successive writ petitions is nothing but an abuse the process of this Court, wasting of the precious public time.

8. The Writ Petition is dismissed, imposing the costs of Rs.10,000/- to be paid by the petitioner, to Andhra Pradesh High Court Legal Services Committee at Andhra Pradesh High Court.

9. The costs shall be paid within three (03) weeks from today, failing which the Registrar (Judicial) of this shall take necessary steps to realise the costs as per law.

10. The Registrar (Judicial) shall place on record the report of compliance.

11. List on 25.08.2026 only for the perusal of compliance report.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

RAVI NATH TILHARI,J

PURUSHOTTAM KUMAR CHINTALAPUDI,J

Dated: 30.07.2026
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47

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
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