APHC010165902026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3624]**
(Special Original Jurisdiction)

MONDAY, THE 28th DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION NO: 8490/2026

Between:

1. CHAVALI NAGARAJU, AGE 51 YRS S/O VENKATA SUBBARAO, RIO D.NO.23-26-16A, SUMANAM VANI STREET, S.N.PURAM, VIJAYAWADA 520011

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRL.SECRETARY, HOME DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI GUNTUR DISTRICT.522237
2. THE DIRECTOR GENERAL OF POLICE, POLICE HEAD QUARTERS,MANGALAGIRI, GUNTUR DISTRICT-522503
3. THE COMMISSIONER, VIJAYAWADA POLICE COMMISSIONARATE, VIJAYAWADA-520011
4. THE STATION HOUSE OFFICER, SATYANARAYANAPURAM POLICE STATION, SATYANARAYANAPURAM VIJAYAWADA- 520011
5. CHAVALI LAKSHMI SAILAJA, AGE 46YRS, W/O CHAVAL.N'AGARAJU, RIO PLOT NO.1118, FLAT NO.30.1, SAI VIJAYA SREE RESIDENCY, ANJANEYA NAGAR COLONY, MOOSAPET, BALANAGAR, SANATHNAGAR IFS, K.V.RANGAREDDY TELANGANA STATE- 500018

...RESPONDENT(S):

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 topleased to issue writ order direction more particularly one in the nature of Writ of Heabeas Corpus or any other Writ order to produce the detenu Chavali Venkata Subbarao S/o Chavali Ramakrishnaiah who was detained with the support of the 4th respondent by the 5th respondent and to pass

IA 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 may be pleased to treat the additional affidavit papers as part and parcel of the main writ petition and pass

IA NO: 2 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 may be pleased 1. To direct the 5th respondent to Hand over the custody of the Corpus i.e Chavali Venkata Subbarao, to the petitioner immediately. 2. To direct the 3rd respondent to conduct an enquiry on the conduct and the role of the 4th respondent in the entire episode and submit a report to the Hon'ble High Court. 3. To direct the Sub-Registrar, Vijayawada, not to entertain any registration over the properties of the Corpus situated in Vijayawada, which come under the Vijayawada Registration office i.e., Chavali Venkata Subbarao. 4. To direct the Sub-registrar, Vijayawada, to cancel the Document No.3360/2026 5. To direct the respondents to produce the corpus for taking fresh statement from the corpus pending disposal of the above writ petition and to pass

IA NO: 3 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 it is hereby prayed that this Hon'ble Court may be pleased 1. To direct the 5th respondent to Hand over the custody of the corpus, i.e Chavali Venkata Subbarao, to the petitioner immediately 2. To direct the 3rd respondent to conduct an enquiry into the conduct and the role of the 4th respondent in the entire episode and submit a report to the Hon’ble High Court.

Counsel for the Petitioner:

1. J RAVI KUMAR

Counsel for the Respondent(S):

1. GP FOR HOME
2. VENKATESWARLU SANISETTY

The Court made the following:

ORDER :-*(per Hon'ble Sri Justice Ravi Nath Tilhari)*

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

> *"….to issue a Writ, Order or direction more particularly one in the nature of Writ of* ***Habeas Corpus*** *directing the respondents herein to produce the detenu namely* ***Chavali Venkata Subbarao****, who was detained with the support of the 4th respondent and 5th respondent and pass such other order or orders…."*

2. Heard Sri J.Ravi Kumar, learned counsel for the petitioner, Sri J. Krishna Praneeth, learned Assistant Government Pleader appearing for respondents 1 to 4 and Sri Venkateswarlu Sanisetty, learned counsel appearing for respondent No.5.

3. The petitioner is the son and the 5th respondent is the daughter-in-law of the corpus, namely Sri Chavali Venkata Subbarao.

4. Previously, this Court passed detailed orders on various dates. In the order dated 17.04.2026, we recorded the statements of the corpus, which read as under:

> *"8. Sri Chavali Venkata Subbarao, the alleged detenu has been produced on wheel chair. We put the basic questions regarding his name etc., and by the answer given by him, though due to his age there is some hearing and speaking problem, but, we are satisfied that he understands the questions and has given the correct reply. Then the following questions were put to the*

alleged detenu, to which he gave the answers in the regional language, which are as under:

1. మీరు ఇప్పుడు ఎవరితో ఉంటున్నారు అని ప్రశ్నించగా, నేను నా కోడలు, మనవరాళ్లతో ఉంటున్నాను ఎందుకు అంటే నా కొడుకు నన్ను కొట్టాడు అని సమాధానం చెప్పారు

2. మీరు ఇష్టపూర్వకంగా నే ఉంటున్నారా అని ప్రశ్నించగా , నేను నా ఇష్టపూర్వకంగానే ఉంటున్నాను గత ఐదు ఆరు నెలలుగా అని సమాధానం చెప్పారు.

3. మీరు ఇప్పుడు ఎవరితో కలిసి ఉండాలి అనుకుంటున్నారు అని ప్రశ్నించగా, నేను నా కోడలు, మనవరాళ్లతో కలిసి ఉంటాను అని సమాధానం ఇచ్చారు.

Translation:

1. When we asked about with whom he is staying, he informed that he is staying with his daughter-in-law and granddaughters because his son beat him.

2. When we enquired about whether he is staying on his own volition, he replied that he is living with them on his own volition for the past five six months.

3. He, on our enquiry, expressed that he wanted to live with his daughter-in-law and granddaughters."

5. By order dated 21.09.2026, upon consideration of the submissions advanced, we directed the production of the corpus once again.

6. The corpus, namely, Sri Chavali Venkata Subbarao, has been produced by Respondent No.4, Sri G. Soujanya, Station House Officer, Satyanarayanapuram Police Station, from the custody of Respondent No.5.

He is aged about 89 years (as alleged by the petitioner's counsel). He is an old person, and is on a wheelchair and physically weak. On specific enquiry made to him by the Court on the following questions, he replied in the regional language, as under:

1. ఆమె మీకు ఏమవుతారు అని ప్రశ్నించగా ? ఆమె నా కోడలు.
2. మీరు ఇప్పుడు ఎవరితో ఉంటున్నారు అని ప్రశ్నించగా , నేను నా కోడలుతో ఉంటున్నాను.
3. మీరు ఇష్టపూర్వకంగా నే ఉంటున్నారా అని ప్రశ్నించగా , నేను నా ఇష్టపూర్వకంగానే ఉంటున్నాను.
4. మీరు మీ అబ్బాయి దగ్గరకు వెళ్తారా? అని ప్రశ్నించగా? నేను మా అబ్బాయి దగ్గరకు వెళ్లను, నేను నా కోడలి దగ్గరే ఉంటాను.

Translation:

1. When we asked, "Who is she?", he replied that she is his daughter-in-law.
2. When we asked, "With whom are you staying?", he informed us that he is staying with his daughter-in-law.
3. When we enquired, "Are you staying with them of your own will?", he replied that he is living with them of his own free will.
4. When we asked, "Will you go to your son?", he informed us that he does not want to go to his son and expressed his desire to live with his daughter-in-law.

7. Learned counsel for the petitioner objects and submits that the voice of the corpus is not very clear and asked for the custody of the corpus to the petitioner.

8. Though we clearly understood the answers given by the corpus, we also asked the learned Assistant Government Pleader, who is standing next to the corpus, as to what has been stated by the corpus. Learned Assistant Government Pleader submits that the corpus has expressed his willingness to live with Respondent No.5, his daughter-in-law, and is not willing to live with the petitioner or to go with him.

9. Learned counsel for the petitioner seeks adjournment submitting that the petitioner (son) could not come to the Court today.

10. We do not find any reason to adjourn the matter. The petitioner is represented through his counsel.

11. Considering that on the previous date (17.04.2026) also, the corpus was not willing to go with his son i.e., the petitioner and had expressed his willingness to live with his daughter-in-law, which has been reiterated today also, we find no reason to continue the writ of *Habeas Corpus* which is ***closed***.

12. Learned counsel for the petitioner submits that there is some property and the matrimonial disputes. Be that as it may, without making any

observation on such aspect, the petitioner shall be at liberty to avail such remedy as may be available to him in accordance with law, if so advised, before the appropriate Forum.

No order as to costs.

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

RAVI NATH TILHARI, J

ALAPATI GIRIDHAR, J

Date: 28.09.2026
RPD.

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THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

(CLOSED)

WRIT PETITION NO: 8490 of 2026

Date: 28.09.2026

RPD.