

**Habeas Corpus - For custody of minor child - Petition is maintainable- Maintainability of a petition under Article 226 of the Constitution, seeking issuance of a writ in the nature of habeas corpus to restore the custody of a child to its natural mother, in the circumstances enunciated - Even though the battle for custody of the child in the present case is not between the natural mother and father of the child but between the natural mother and the lady who on the basis of an adoption deed (contended by her to be a valid one), states that she is the adoptive mother - Nonetheless, the tussle is one for custody of the child and hence I would see no reason to hold that a writ petition seeking such custody is not maintainable - Despite proceedings in a petition seeking issuance of a writ in the nature of habeas corpus being summary in nature, the High Court can still embark upon a detailed enquiry for the welfare of the minor in question and can invoke its extraordinary jurisdiction to determine the validity of the detention and to even direct repatriation of a minor child to the country from where he or she may have been removed by a parent or some other person, therefore I see no ground to hold that the present petition is not maintainable, even though the enquiry in the present case involves the validity of the adoption**

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