

HCP No.1158 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

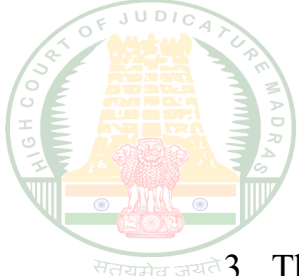
HCP No. 1158 of 2026

Tamilselvi,
W/o.Thirugnanamoorthi,
Door No.30-31, Bharathi Nagar,
5th Street, Olymbus,
Ramanathapuram,
Coimbatore South Taluk,
Coimbatore District.

...Petitioner/Wife of the
Detenue

Vs

1. The Additional Secretary,
Government of India,
Ministry of Consumer Affairs,
Food and Public Distribution,
(Dept. of Consumer Affairs),
Room No.270, Krishi Bhawan,
New Delhi-110001.
2. The Secretary to Government,
Co-operation Food and Consumer Protection
Department,
2nd Floor,
Namakkal Kavingar Maligai,
Secretariat,
Chennai - 600 009.



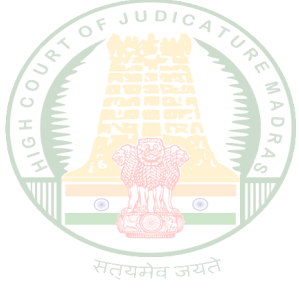
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3. The District Magistrate and District Collector,
Tiruppur District,
Tiruppur District.
4. The Superintendent of Police,
Tiruppur,
Tiruppur district.
5. The Superintendent of Prison,
Central Prison - Coimbatore,
Coimbatore District.
6. State rep. by its
The Inspector of Police,
Civil Supply - CID,
Tiruppur Unit,
Tiruppur District.

...Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the entire records, relating to the petitioner's husband detention under EC Act, 1980 (Central Act 7 of 1980) vide detention order dated 05.06.2026 on the file of the 3rd respondent made in proceedings Cr.M.P.No.14/Black Marketer/2026, quash the same as illegal and consequently direct the respondents herein to produce the petitioner's husband namely THIRUGNANAMOORTHY, S/o.Viswanathan, aged 46 years before this Court and set the petitioner's husband at liberty from detention, now the petitioners husband detained at Central Prison, Coimbatore.



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For Petitioner:

Mr.M.Mohamed Saifulla for
Mr.W.Camyles Gandhi

For Respondents:

Mr.K.Ramanamoorthy
Senior Panel Counsel for R1Mr.A.Amarnath,
Counsel for Government of Tamil Nadu
(Criminal Side) for R2 to R6**ORDER****(Order of the Court was made by Sunder Mohan J.)**

The wife of the detenu – Thirugnanamoorthi, S/o.Viswanathan, aged 46 years, has filed this petition challenging the detention order dated 05.06.2026, branding him as ‘Black Marketer’ under the provisions of Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980 (Central Act 7 of 1980).

2. Heard the learned Counsel for the petitioner and the learned Senior Panel Counsel for the first respondent as well as the learned Counsel for Government of Tamil Nadu for the respondents 2 to 6.

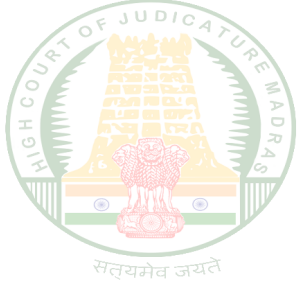
3. We find on perusal of the record and on hearing the submissions on either side, the impugned order cannot be sustained on the sole ground



that the special report sent by the sponsoring authority is undated. The compelling necessity to detain the detenu would depend on the date on which the sponsoring authority has sent his report. In the absence of the said date, the special report would become irrelevant and the compelling necessity to detain the detenu becomes doubtful.

4. Further in '*Rekha Vs. State of Tamil Nadu through Secretary to Government and another*' reported in '*2011 [5] SCC 244*', the Hon'ble Supreme Court had held that where the detention order is passed on any irrelevant material, then, the detention order is liable to be quashed. Therefore, we are of the view that for the aforesaid reason, the impugned detention order is liable to be set aside.

5. In light of the aforesaid discussion, this Habeas Corpus Petition is allowed and the Detention Order passed by the third respondent in Cr.M.P.No.14/Black Marketer/2026 dated 05.06.2026, is set aside.



6. The detenu, viz., Thirugnanamoorthi, S/o.Viswanathan, aged 46 years, who is now confined in Central Prison, Coimbatore, is hereby directed to be set at liberty forthwith unless his presence is required in connection with any other case.

(A.S.M.,J.) (S.M.,J.)
27-07-2026

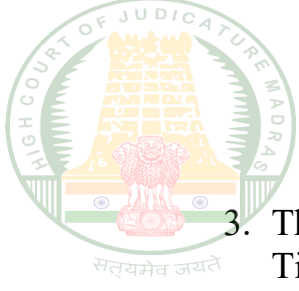
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Note: Issue order copy today.

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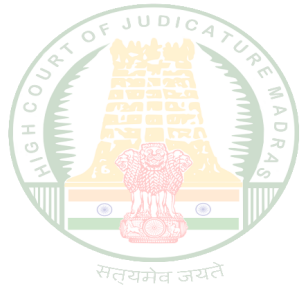
To

1. The Additional Secretary,
Government of India,
Ministry of Consumer Affairs,
Food and Public Distribution,
(Dept. of Consumer Affairs),
Room No.270, Krishi Bhawan,
New Delhi-110001.
2. The Secretary to Government,
Co-operation Food and Consumer Protection
Department,
2nd Floor,
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Secretariat,
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3. The District Magistrate and District Collector,
Tiruppur District,
Tiruppur District.
4. The Superintendent of Police,
Tiruppur,
Tiruppur District.
5. The Superintendent of Prison,
Central Prison - Coimbatore,
Coimbatore District.
6. State rep.by its
The Inspector of Police,
Civil Supply - CID,
Tiruppur Unit,
Tiruppur District.
- 7.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009.
8. The Public Prosecutor,
High Court of Madras.



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**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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