



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

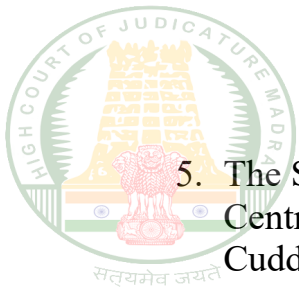
HCP No.2183 of 2025

Gousalya
W/o.Arun Kumar,
No.52, V.O.C Street,
Velippalayam,
Nagapattinam – 611 001

...Petitioner/Wife of the
Detenu

Vs

1. The Additional Chief Secretary to the Government,
Home Prohibition and Excise Department,
Secretariat,
Chennai – 600009.
2. The District Collector and District Magistrate,
O/o. The District Collector and
District Magistrate,
Nagapattinam District.
3. The Superintendent of Police,
O/o. The Superintendent of Police,
Nagapattinam District.
4. The Inspector of Police,
Velipalayam Police Station,
Nagapattinam District.



5. The Superintendent of Prison,
Central Prison,
Cuddalore.

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...Respondents

Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the entire records connected with the detention order in C.O.C.No.29/2025 dated 28.09.2025 on the file of the Respondent No.2 and Quash the same as illegal and direct the respondents to produce the body or person of the petitioner's husband namely Maan onerai @ Arun Kumar, aged about 23 years son of Baskaran now confined at Central Prison, Cuddalore before this Court and set him at liberty forthwith.

For Petitioner : Mr.U.Kathiravan

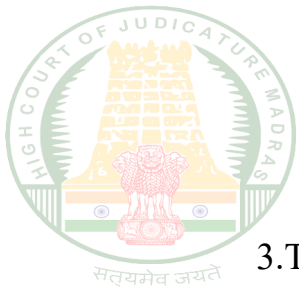
For Respondents: Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

(Order of the Court was made by Sunder Mohan J.)

The wife of the detenu – Maan onerai @ Arunkumar, aged 23 years, S/o.Baskaran, has filed this petition challenging the detention order dated 28.09.2025, branding him as a 'Drug Offender' under Section 2(e) of the Tamil Nadu Preventive Detention Act, 1982 (Act 14/1982).

2. We have heard learned counsel for petitioner and learned counsel for Government of Tamil Nadu (Crl.Side) for respondents.

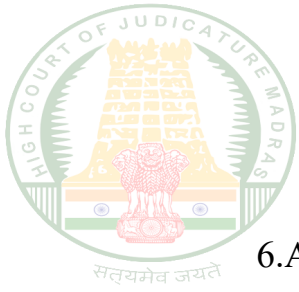


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3. The learned counsel for the petitioner would submit that the impugned order of detention has to be set aside for the reason that the Government Order delegating the power of detention to the 2nd respondent herein has not been translated in Tamil, thereby denying the detenu to make an effective representation against the detention order.

4. Heard the learned counsel for Government of Tamil Nadu (Crl.Side) for respondents, who would fairly concede that the translated version of the Government Order was not furnished to the detenu.

5. It is seen from the booklet furnished to the detenu that the Government Order has not been translated in Tamil, while other documents were translated in Tamil, which is the language known to the detenu. It is well settled that if the relied upon documents are not furnished in the language known to the detenu, his right to make effective representation would be denied. In '**Powanammal Vs. State of Tamil Nadu**' reported in '**(1999) 2 SCC 413**', the Hon'ble Supreme Court had held that non-supply of relevant documents in the language known to the detenu renders the detenu's detention illegal.



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6. Accordingly, this Habeas Corpus Petition is allowed and the Detention Order passed by the second respondent in Detention Order in C.O.C.No.29/2025 dated 28.09.2025 is set aside.

7. The detenu, viz., Maan onerai @ Arunkumar, aged 23 years, S/o.Baskaran, now confined in Central Prison, Cuddalore, is 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.)
02-06-2026

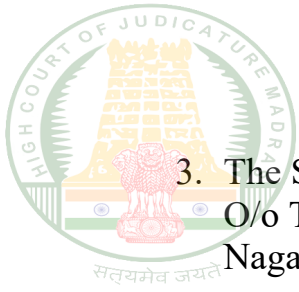
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Note: Issue Order Copy today

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To

1. The Additional Chief Secretary to the Government,
Home Prohibition and Excise Department,
Secretariat,
Fort.St.George,
Chennai – 600009.
2. The District Collector and District Magistrate
O/o The District Collector and District
Magistrate,
Nagapattinam District.



3. The Superintendent of Police
O/o The Superintendent of Police,
Nagapattinam District.

4. The Inspector Of Police
Velipalayam Police Station,
Nagapattinam District.

5. The Superintendent of Prison
Central Prison,
Cuddalore.

6. The Joint Secretary,
Law and Order Department,
Secretariat,
Chennai – 600 009.

7. The Public Prosecutor,
High Court of Madras.



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HCP No.2183 of 2



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

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