



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P(MD)No.1028 of 2015

Krishna Latha

..Petitioner

Vs.

1.The State of Tamilnadu represented by its
Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St.George,
Chennai-600 009.

2.The District Collector and District Magistrate,
Nagercoil,
Kanyakumari District.

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to call for the records relating to order passed by 2nd respondent dated 19.06.2015 in P.D.No.25/2015 and consequential orders and quash the same and direct the respondents to produce body of petitioner's husband, Rajan, aged 45 years, S/o.Rangasami, Madachery Puthen Veedu, Pudhukadai, Pudhukadai Post, Pudhukadai Village, Vilavancode Taluk, Kanyakumari District, now confined in Central Prison, Palayamkottai before this Court and set him at liberty forthwith.

For Petitioner : Mr.N.Dilip Kumar

For Respondents : Mr.T.Mohan

Additional Public Prosecutor.

O R D E R

[Order of the Court was made by S.NAGAMUTHU,J]

The petitioner is the wife of the detenu Mr.Rajan, aged 45 years. He has been detained under the Tamil Nadu Act 14 of 1982, as per the order of the second respondent in Detention Order in P.D.No.25/2015, dated 19.06.2015, branding him as a "Goonda". Challenging the same, the petitioner is before this Court with this Habeas Corpus Petition.

2. We have heard the learned counsel appearing for the petitioner and learned Additional Public Prosecutor appearing for the State.

3. Though several grounds have been raised in this petition, the learned counsel for the petitioner would focus his argument only on the ground that there was total non-application of mind on the part of the respondents in detaining him, while passing the Detention Order. According to him, though there is a reference about the earlier Detention Order passed against the detenu in P.D.No.17 of 2011, dated 20.07.2011, the same was

