

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

H.C.P.No.1874/2015

Samsath

.. Petitioner

vs.

- 1 The Secretary to Government
State of Tamil Nadu
Home, Prohibition & Excise Department
Fort St George, Chennai 600 009.
- 2 The Commissioner of Police
O/o.The Commissioner of Police
Salem District.
- 3 The Additional Secretary
Government of India, Ministry of Consumer
Affairs, Food & Public Distribution
[Dept of Consumer Affairs], Room No.270,
Krishi Bhawan, New Delhi 110001.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus calling for the entire records relating to the petitioner's husband detention under section 3[1] r/w 3[2][b] of the Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act 1980 [Central Act 7 of 1980], vide detention order dated 21.07.2015 on the file of the 2nd respondent herein made in proceedings vide in CMP.NO.2/Black Marketer/Salem City/2015 quash the same as illegal, and consequently direct the respondents herein to produce the petitioner's husband namely Siddik Basha @ Basha, aged 30 years, before this Court and set the petitioner's husband at liberty from detention now the petitioner's husband detained at Central Prison, Salem.

For Petitioner .. Mr.W.Camyles Gandhi
For RR 1 & 2 .. Mr.M.Maharaja,APP
For R3 .. Mr.S.Arockiam

ORDER

(Order of the Court was made by P.N.PRAKASH J.)

The learned Additional Public Prosecutor would submit that the detention order was passed on 21.07.2015 and the period of detention, viz., six months, was already over and that the petition has become infructuous.

2.Recording the submission of the learned Additional Public Prosecutor, this petition is dismissed as infructuous.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

AP
To

- 1 The Secretary to Government
State of Tamil Nadu
Home, Prohibition & Excise Department
Fort St George, Chennai 600 009.
 - 2 The Commissioner of Police
O/o.The Commissioner of Police, Salem District.
 - 3 The Additional Secretary
Government of India, Ministry of Consumer
Affairs, Food & Public Distribution
[Dept of Consumer Affairs], Room No.270,
Krishi Bhawan, New Delhi 110001.
 4. The Public Prosecutor,
Madras High Court, Madras.
- +1 cc to Mr.S.Arockiam Advocate sr.4873

H.C.P.No.1874/2015

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aa08/02/2016