

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.2.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

H.C.P.No.2081 of 2015

Vijayakumar

... Petitioner
(Brother of Detenue)

Vs.

1. Government of Tamil Nadu
rep by its Principal Secretary
Home Prohibition & Excise (XVI) Department
Fort St. George, Chennai - 600 009
2. The Commissioner of Police
Salem City

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus calling for the records in C.M.P.No.64/Goonda/Salem City/2015 dated 7.8.2015 on the file of the second respondent herein and quash the same and direct the respondents herein to produce the body of the petitioner's brother Jayaraj, son of Govindan, aged 37 years, now confined in Central Prison, Salem, before this Court and set him at liberty.

For Petitioner : Ms.R.Subhadra Devi

For Respondents : Mr.A.N.Thambi Durai

Additional Public Prosecutor

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O R D E R
[Order of the Court was made by M.JAICHANDREN, J.]

The petitioner, who is the brother of the detenu, Jayaraj, son of Govindan, aged 37 years, has come forward with this petition challenging the detention order passed by the 2nd respondent dated 7.8.2015 against his brother branding him as a "Goonda" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber Law Offenders, Drug Offenders, Forest

Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Sexual Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

2.The learned Additional Public Prosecutor would submit that the order of detention passed by the 2nd respondent as against the brother of the petitioner dated 7.8.2015 has been revoked by the Government in G.O. [Rt] No.5977, dated 21.9.2015 and he has also produced a copy of the said order.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Principal Secretary
Government of Tamil Nadu
Home Prohibition & Excise (XVI) Department
Fort St. George, Chennai - 600 009
2. The Commissioner of Police
Salem City
3. The Superintendent,
Central Prison,
Salem.
4. The Joint Secretary to Government,
Public(Law & Order),
Fort Saint George, Chennai - 9.
5. The Public Prosecutor,
High Court, Madras.

H.C.P.No.2081 of 2015

SR(CO)
CA(23/03/2016)