

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

H.C.P.No.2938/2015

Jainulabdeen

.. Petitioner

vs.

- 1.The Secretary to Government
State of Tamilnadu, Home, Prohibition
& Excise Department, Fort St George
Chennai 600009.
- 2.The District Collector & District Magistrate
Coimbatore, Coimbatore District.
- 3.The Addl. Secretary
Government of India, Ministry of Consumer
Affairs, Food and 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 brother 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 05.11.2015 on the file of the 2nd respondent herein made in proceedings Memo Cr.MP.No.60/BM/2015 [E1] quash the same as illegal and consequently direct the respondents herein to produce the petitioner's brother namely Abdul Kathar, S/o.K.M.Sheik Dawood, aged 32 years, before this Court and set the petitioner's brother at liberty from detention now the petitioner's brother detained at Central Prison, Coimbatore.

For Petitioner .. Mr.R.Paneerselvam
For RR 1 & 2 .. Mr.M.Maharaja,APP
***For R3 .. Mr.S.Arockiam, ACGSC**

ORDER

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

The petitioner, who is the brother of the the detenu herein by name Abdul kathar, S/o.Sheik Dawood, aged 32 years, has come forward with this petition challenging the detention order passed by the 2nd respondent dated 05.11.2015 against his brother branding him as a "Black Marketer" under the Tamil Nadu Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act 1980 [Central Act 7 of 1980].

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that the order of detention passed by the 2nd respondent as against the brother of the petitioner dated 05.11.2015 has been revoked by the Government in G.O.[Rt] No.566,Cooperation, Food and Consumer Protection [E1] Department dated 21.12.2015 and he has also produced a copy of the said order.

3. Recording the submission of the learned Additional Public Prosecutor, this petition is closed as the same has become infructuous.

Sd/-
Assistant Registrar(CS III)
Dated:01.02.2016

*Corrected and made
in HCP No.2938 of 2015

Sd/
Assistant Registrar(CS-III)
Dated:25.02.2015

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government
State of Tamilnadu, Home, Prohibition
& Excise Department, Fort St George,
Chennai 600009.

2.The District Collector &
Coimbatore,
Coimbatore District.

To be substituted to
the order already
despatched on 23/02/2016
and made herein

3.The Addl. Secretary,
Government of India,
Ministry of Consumer
Affairs, Food and
Public Distribution,
[Dept of Consumer Affairs],
Room No.270 Krishi Bhawan,
New Delhi 110001.

4.The Superintendent,
Central Prison,
Coimbatore.

5.The Joint Secretary to Government,
Public(Law & Order) Department,
Secretariat,
Chennai-9.

6. The Public Prosecutor,
Madras High Court, Madras.

+1cc to Mr.S.Arokiam, Advocate, S.R.No.3740

H.C.P.No.2938/2015

kji(CO)
srg(02/02/2016)
ug[co]
srg 26/02/2016

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