

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE S.BASKARAN

H.C.P.No.1051 of 2016

V. Gandhimathi

... Petitioner/Wife of
the Detenu

Vs

1.State of Tamil Nadu
represented by the Secretary to Government
Home, Prohibition & Excise Department
Fort St. George, Chennai-9.

2.The Commissioner of Police
Chennai Police
Vepery
Chennai-7.

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to call for the records in connection with the order of detention passed by the second respondent dated 09.03.2016 in Proceedings No.270/BCDFGISSSV/2016, under the Tamil Nadu Act 14 of 1982 and to set aside the same and to direct the respondents to produce the petitioner's husband, namely, Viji @ Ola Viji, S/o.Raji, aged about 39 years, the detenu, now confined in the Central Prison, Puzhal, Chennai, before this Court and set him at liberty.

For Petitioner : M/s.K. Thenrajan

For Respondents : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

ORDER

(Order of the Court was made by M.JAICHANDREN,J.)

This Habeas Corpus Petition has been filed, by the wife of the detenu, namely, Viji @ Ola Viji, Son of Raj, aged about 39 years, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in

No.270/BCDFGISSSV/2016, dated 09.03.2016, passed by the second Respondent, detaining the detenu, under Section 3(1) of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 (Tamil Nadu Act 14 of 1982), branding him as a "Goonda", in the Central Prison, Puzhal, Chennai, and to quash the same and to direct the Respondents to produce the body of the detenu and to set him at liberty forthwith.

2. At this stage of the hearing of the Habeas Corpus Petition, the learned Additional Public Prosecutor, appearing on behalf of the respondents would submit that the order of detention passed by the second respondent, against the husband of the petitioner, dated 09.03.2016, has been revoked by the Government, in G.O. Rt. No.2182, Home, Prohibition and Excise (X) Department, dated 18.5.2016 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 VII)

//True Copy//

Sub Assistant Registrar

rnb

To

1.The Secretary to Government
Home, Prohibition & Excise Department
Secretariat, Chennai-9.

2.The Commissioner of Police
Greater Chennai
Vepery, Chennai-7.

3.The Superintendent,
Central Prison,
Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.

H.C.P.No.1051 of 2016

CA(CO)
CA(21/12/2016)