

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2016

CORAM

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

H.C.P.No.1215 of 2016

Gajalakshmi

... Petitioner

Vs

1. The State of Tamil Nadu,
rep by the Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-600 009.

2. The Commissioner of Police,
Chennai Police, Vepery,
Chennai.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents to produce the petitioner's husband by name Nagaraj @ Pambu Nagaraj, son of Gowreeshwaran, aged about 24 years, who is confined at the Central Prison, Puzhal, Chennai, before this Court and to set him at liberty and to call for the records pertaining to the order of detention passed in No.512/BCDFGISSSV/2016, dated 27.5.2016, passed by the second respondent and to set aside the same.

For Petitioner : Mr.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, Nagaraj @ Pambu Nagaraj, son of Gowreeshwaran, aged about 24 years, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in No.512/BCDFGISSSV/2016, dated 27.5.2016, 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 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the order of detention passed by the second respondent, against the husband of the petitioner, dated 27.5.2016, has been revoked by the Government, in G.O. Rt. No.2982, Home, Prohibition and Excise (X) Department, dated 4.7.2016 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 III)

//True Copy//

Sub Assistant Registrar

vvk
To

1. The Secretary,
The State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-600 009.
2. The Commissioner of Police,
Chennai Police, Vepery,
Chennai.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.
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.1215 of 2016

NM(CO)
CA(05/01/2017)