

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE T.MATHIVANAN

H.C.P.No.1354 of 2016

Valli .. Petitioner/Aunt of detenu
Vs

1. The Secretary to the Government,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Police,
O/o The Commissioner of Police,
Greater Chennai,
Vepery, Chennai-7. .. Respondents

Prayer: Petition 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 16.6.2016, in BCDFGISSSV No.569/2016, against the petitioner's nephew, the detenu Jagan @ Rettai Mattai Jagan @ Jaganathan, son of Selvam, aged about 34 years, now confined in the Central Prison, Puzhal, Chennai and to set aside the same and to direct the respondents to produce the detenu before this court and to set him at liberty.

For Petitioner : Mr.A.Nirmal Kumar

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

ORDER

This Habeas Corpus Petition has been filed, by the aunt of the detenu, namely, Jagan @ Rettan Mattai Jagan @ Jaganathan, aged about 34 years, son of Selvam, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in No.569/BCDFGISSSV/2016, dated 16.6.2016, 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would submit that the order of detention passed by the second respondent, against the detenu, dated 16.6.2016, has been revoked by the Government, in G.O. Rt. No.3303, Home, Prohibition and Excise, (X) Department, dated 22.7.2016 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.

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

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,
O/o 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.1354 of 2016

RV(CO)
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