

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.12.2016

CORAM

THE HON'BLE Mr.JUSTICE M.JAICHANDREN

and

THE HON'BLE Mr.JUSTICE T.MATHIVANAN

H.C.P.No.1408 of 2016

Shanmugavalli

... Petitioner

Vs

1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George, Chennai-600 009.

2.The District Magistrate and District Collector,
Namakkal District,
Namakkal.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, to call for the entire records, relating to the petitioner's husband detention under Tamil Nadu Act 14 of 1982 vide detention order, dated 01.07.2016 on the file of the second respondent herein made in proceedings Memo C.M.P.No.19/GOONDA/2016/M1, quash the same as illegal and consequently direct the respondents herein to produce the petitioner's husband namely Sellamuthu, S/o.Karumalai, aged 50 years and set the petitioner's husband at liberty from detention, now the petitioner's husband detained at Central Prison, Salem.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Mr.V.M.R.Rajentren, APP

O R D E R

[Order of the Court was made by M.JAICHANDREN, J.]

This Habeas Corpus Petition has been filed, by the wife of the detenu, namely, Sellamuthu, S/o.Karumalai, aged about 50 years, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in C.M.P.No.19/GOONDA/2016/M1, dated 01.07.2016, 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, Salem, 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the order of detention passed by the second respondent, against the husband of the petitioner, dated 01.07.2016, has been revoked by the Government, in G.O.Rt.No.3718, Home, Prohibition and Excise (XIV) Department, dated 11.08.2016 and he has also produced a copy of the said order.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/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

vvk/gya

To

1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George, Chennai-600 009.

2.The District Magistrate and District Collector,
Namakkal District,
Namakkal.

3.The Public Prosecutor,
High Court, Madras.

4.The Joint Secretary to Government,
Public (Law & Order)
Fort st. George, Chennai-9.

5.The Superintendent, Central Prison
Salem.

H.C.P.No.1408 of 2016

kgk(co)
ss(25/01/2017)



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