

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2016

CORAM

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

H.C.P.No.1560 of 2016

R.Jayapal

.. Petitioner

Vs

- 1.The Secretary to Government,
Food and Consumer Protection Department,
2nd Floor, Namakkal Kavignar Maligai,
Secretariat, Chennai-600 009.
 - 2.The District Collector and District Magistrate,
Cuddalore District,
Cuddalore.
 - 3.The Secretary to Government,
Government of India,
Ministry of Consumer Affairs,
Food and Public Distribution
(Dept. of Consumer Affairs),
Room No.270, Krishi Bhawan,
New Delhi-110 001.
- ... 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 14.7.2016, in Memo No.C3/D.O/13/2016/Black Marketing Act/2016, against the petitioner's son Napoleon, son of R.Jayapal, aged about 30 years, who is confined at the Central Prison, Cuddalore 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.K.Gandhi Kumar

For Respondents: Mr.V.M.R.Rajentran, APP for RR1 and 2
Mr.S.Arockiam, CGSC for R-3

ORDER

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

This Habeas Corpus Petition has been filed by the father of the detenu, namely, Nepoleon, aged about 30 years, son of Jayapal, to issue a Writ of Habeas Corpus, to call for the records, in C3/D.O./13/2016, dated 14.7.2016, passed by the second respondent, detaining the detenu, under Section 3(1) read with Section 3(2)(a) of the Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980 (Act 7 of 1980), branding him as a "Black Marketer", in the Central Prison, Cuddalore, 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 1 and 2 would submit that the order of detention passed by the second respondent, against the son of the petitioner, dated 14.7.2016, has been revoked by the Government, in G.O. Rt. No.355, Cooperation, Food and Consumer Protection (E1) Department, dated 21.9.2016 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

To

- 1.The Secretary to Government,
Food and Consumer Protection Department,
2nd Floor, Namakkal Kavignar Maligai,
Secretariat, Chennai-600 009.
- 2.The District Collector and District Magistrate,
Cuddalore District,
Cuddalore.

3.The Secretary to Government,
Government of India,
Ministry of Consumer Affairs,
Food and Public Distribution
(Dept. of Consumer Affairs),
Room No.270, Krishi Bhawan,
New Delhi-110 001.

4. The Superintendent,
Central Prison, Cuddalore.

5.The Public Prosecutor,
High Court, Madras.

6.The Joint Secretary to Govt.,
Public (Law & Order), Fort St. George,
Chennai 600 009.

+1 cc to Mr.S.ARockiam, Advocate SR.NO. 68387

H.C.P.No.1560 of 2016

MMP 29.12.2016



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