

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2016

CORAM

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

H.C.P.No.1888 of 2016

P.Vellaichamy

... Petitioner

Vs

1. The Secretary to Government,
Cooperation, Food and Consumer Protection
Department,
2nd Floor, Namakkal Kavignar Maaligai,
Secretariat,
Chennai-600 009.
2. The Additional Secretary,
Government of India,
Ministry of Consumer Affairs,
Food and Public Distribution
(Dept. of Consumer Affairs),
Room No.270, Krishi Bhawan,
New Delhi-110 001.
3. The Commissioner of Police,
Coimbatore-641 018.
4. Inspector of Police,
Civil Supplies Criminal Investigation Department,
Coimbatore.

... 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 relating to the detention order passed by the third respondent in his proceedings in C.No.03/PBMMSEC Act/IS/2016, dated 28.7.2016, branding the detenu as "Black Marketer" under the Prevention of Black Marketing and Maintenance Supplies of Essential Commodities Act 1980 and to quash the same and to direct the respondents to

produce the body of the detenu, namely P.Murugan, son of Pitchaiya @ Pitchaikannu, aged about 46 years, who is now detained in the Central Prison, Coimbatore, before this court and to set him at liberty.

For Petitioner : Mr.P.Veluchamy

For Respondents : Mr.V.M.R.Rajentran, APP for RR1,3,4
Mr.S.Arockiam, CGSC for R-2

ORDER

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

This Habeas Corpus Petition has been filed by the brother of the detenu, namely, P.Murugan, aged about 46 years, son of Pitchaiya @ Pitchaikannu Konar, to issue a Writ of Habeas Corpus, to call for the records, in C.No.03/PBMMSEC Act/IS/2016, dated 28.7.2016, passed by the third respondent, detaining the detenu, under Section 3(1) read with Section 3(2)(b) 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, Coimbatore, 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 1,3 and 4 would submit that the order of detention passed by the third respondent, against the brother of the petitioner, dated 28.7.2016, has been revoked by the Government, in G.O. Rt. No.359, Cooperation, Food and Consumer Protection (E1) Department, dated 22.9.2016 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/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vvk

To

1. The Secretary to Government,
Cooperation, Food and Consumer Protection
Department,
2nd Floor, Namakkal Kavignar Maaligai,
Secretariat,
Chennai-600 009.
2. The Additional Secretary,
Government of India,
Ministry of Consumer Affairs,
Food and Public Distribution
(Dept. of Consumer Affairs),
Room No.270, Krishi Bhawan,
New Delhi-110 001.
3. The Commissioner of Police,
Coimbatore-641 018.
4. Inspector of Police,
Civil Supplies Criminal Investigation Department,
Coimbatore.
5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Arokiam, SR 69827.

SKV(CO)
RMP(09/02/2017)

H.C.P.No.1888 of 2016

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