

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2016

CORAM

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

H.C.P.No.2038 of 2016

D.Jabaselvi

.. Petitioner

Vs

1.The Principal Secretary to Government,
Government of Tamilnadu,
Cooperation, Food and Consumer Protection
Department, 2nd Floor,
Namakkal Kavignar Maaligai,
Secretariat,
Chennai-600 009.

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

3.The Additional Secretary to the Government,
Government of India,
Ministry of Consumer Affairs,
Food and Public Distribution,
Dept. of Consumer Affairs,
Room No.270, Krishi Bhawan,
New Delhi-100 001.

.. 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 2.8.2016 in Cr.M.P.No.11/Black Marketeer/2016/C1, against the petitioner's husband David, son of Chithiraipandiyan, aged about 41 years, who is confined at the Central Prison, Coimbatore 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.V.Paarthiban

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 wife of the detenu, namely, David, aged about 41 years, son of late Chithiraipandian, to issue a Writ of Habeas Corpus, to call for the records, in Cr.M.P.No.11/Black Marketeer/2016 C1, dated 2.8.2016, 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 Marketeer", in the Central Prison, Coimbatore, and to quash the same and to direct the Respondents to produce the body of the detenu and to 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that the order of detention passed by the second respondent, against the husband of the petitioner, dated 2.8.2016, has been revoked by the Government, in G.O. Rt. No.366, Cooperation, Food and Consumer Protection (E1) Department, dated 28.9.2016 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 (CO)

/true copy/

Sub Asst. Registrar

vvk

To

- 1.The Principal Secretary to Government,
Government of Tamilnadu,
Cooperation, Food and Consumer Protection
Department,
2nd Floor,
Namakkal Kavignar Maaligai,
Secretariat,
Chennai-600 009.

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

3.The Additional Secretary to the Government,
Government of India,
Ministry of Consumer Affairs,
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Dept. of Consumer Affairs,
Room No.270, Krishi Bhawan,
New Delhi-100 001.

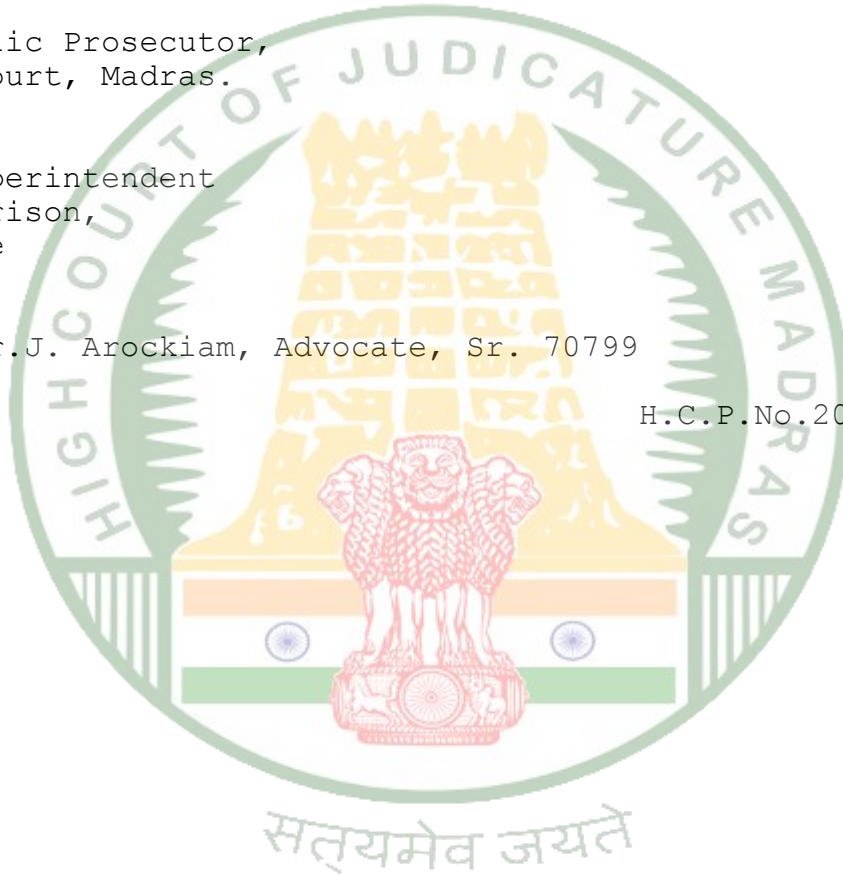
4.The Public Prosecutor,
High Court, Madras.

5. The Superintendent
Central Prison,
Coimbatore

1 cc to Mr.J. Arockiam, Advocate, Sr. 70799

H.C.P.No.2038 of 2016

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