

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.2057 of 2016

Ammasi

.. Petitioner

Vs

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

2.The Commissioner of Police,
Salem City.

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-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 29.8.2016 in C.M.P.No.1/Black Marketer/Salem City/2016, against the petitioner's husband Sengottaiyan, son of Gurusamy, aged about 45 years, who is confined at the

Central Prison, Salem 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, Sengottaiyan, aged about 45 years, son of Gurusamy, to issue a Writ of Habeas Corpus, to call for the records, in C.M.P.No.1/Black Marketer/Salem City/2016, dated 29.8.2016, passed by the second 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 Marketeer”, in the Central Prison, Salem, 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 29.8.2016, has been

revoked by the Government, in G.O. Rt. No.387, Cooperation, Food and Consumer Protection (E3) Department, dated 20.10.2016 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.

[M.J.,J.] [S.B.,J.]
01.12.2016

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To

- 1.The Principal Secretary to Government,
Cooperation, Food and Consumer Protection
Department,
2nd Floor,
Namakkal Kavignar Maaligai,
Secretariat,
Chennai-600 009.
- 2.The Commissioner of Police,
Salem City.
- 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-110 001.
- 4.The Public Prosecutor,
High Court, Madras.

M.JAICHANDREN,J.
AND
S.BASKARAN, J.

vvk

H.C.P.No.2057 of 2016

1.12.2016