

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2016

CORAM:

THE HON'BLE MR.JUSTICE A.SELVAM
AND
THE HON'BLE MR.JUSTICE P.KALAIYARASAN

H.C.P.No.891 of 2016

Khader Sultan

... Petitioner

vs.

1.Government of Tamilnadu
rep.by its Principal Secretary
Home, Prohibition and Excise (XVI) Department,
Fort St.George, Chennai 9

2.The Commissioner of Police
Greater Chennai

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus calling for the records in Memo No.380/BCDFGISSV/2016 dated 1.4.2016 on the file of the second respondent herein and quash the same and direct the respondents herein to produce the body of the petitioner's son Aarif @ Harish Parmanullah, son of Khader Sultan, aged 26 years, now confined in Central Prison, Puzhal, Chennai before this Hon'ble Court and set him at liberty.

For Petitioner : No appearance

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

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ORDER

(Order of the Court was made by A.SELVAM,J.)

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to call for the records relating to the detention order, dated 1.4.2016, passed in No.380/BCDFGISSV/2016, by the detaining authority, who has been arrayed as the second respondent herein, against the detenu, by name Aarif @ Harish Parmanullah, son of Khader Sultan and quash the same.

detaining authority, wherein it is averred that one Madhu Vikram, Sub Inspector of Police, Koyambedu Police Station has given a complaint against the detenu and the same has been registered in Crime No.204 of 2016 under sections 419, 420, 465, 472,473, 474 of Indian Penal Code and Sections 20 r/w 30, 19 r/w 25 (1)(b) of Arms Act and ultimately prayed the detaining authority to invoke Act 14 of 1982 against the detenu.

3. The detaining authority, after considering the averments made in the affidavit and other connected documents, has derived subjective satisfaction to the effect that the detenu is a habitual offender and ultimately branded him as a 'Goonda' by way of passing the impugned detention order and in order to quash the same, the present petition has been filed by the father of the detenu, by name Khader Sultan, son of, No.3/9, Main Road, Poravacheri, Sikkal Post, Nagapattinam District.

4. The learned counsel appearing for the petitioner is not present.

5. The learned Additional Public Prosecutor appearing for the respondents has submitted that the detention order in question has been revoked by the Government of Tamil Nadu, by virtue of G.O.Rt.No.2256, dated 18.5.2016 and a copy of the same has been submitted for perusal and this Court has perused the same and found that the detention order in question has already been revoked by the Government.

6. Considering the aforesaid factual circumstances, the relief sought in the petition has become infructuous.

In fine this Habeas Corpus Petition is dismissed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ajr

To

1.The Principal Secretary
Home, Prohibition and Excise (XVI) Department,
Fort St.George, Chennai 9

2.The Commissioner of Police
Greater Chennai

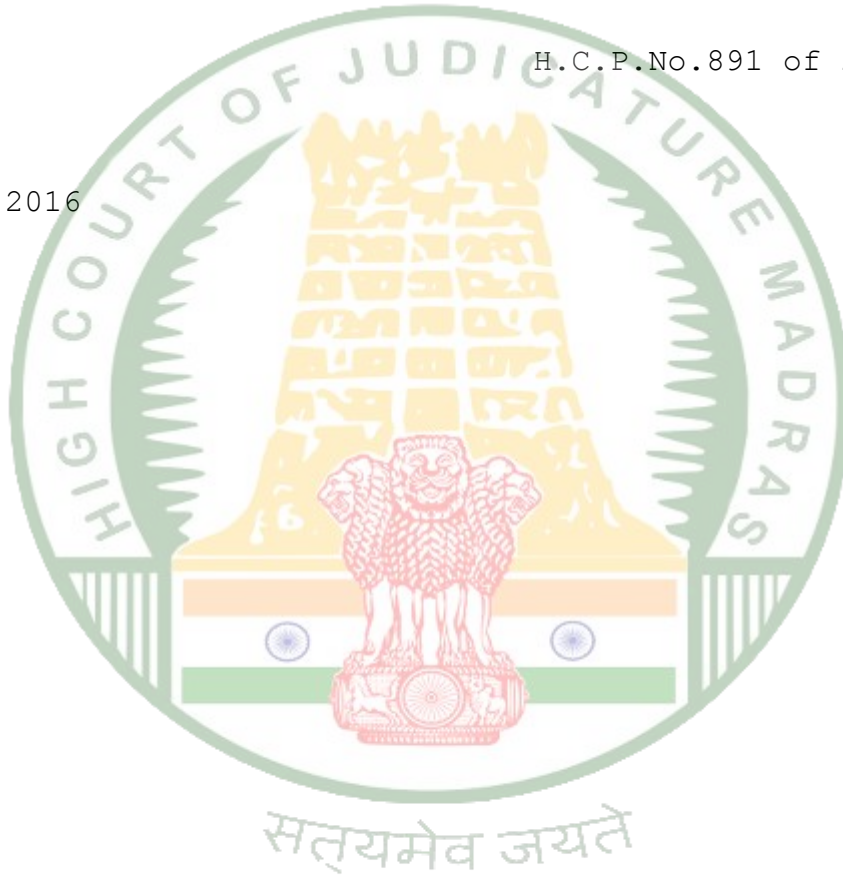
3. The Superintendent
Central Prison, Puzhal, Chennai

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

5. The Public Prosecutor
High Court, Madras.

H.C.P.No.891 of 2016

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