



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) Nos.13398 to 13403 of 2016

1. K.Santhi	... Petitioner W.P(MD) No.13398 /2016
2. K.Pandi Ammal	... Petitioner W.P(MD) No.13399 /2016
3. R.Meharaj Banu	... Petitioner W.P(MD) No.13400 /2016
4. A.Jasmin	... Petitioner W.P(MD) No.13401 /2016
5. R.Santhi	... Petitioner W.P(MD) No.13402 /2016
6. P.Ananthavalli	... Petitioner W.P(MD) No.13403 /2016

-vs-

1. The Commissioner of Police,
Madurai City.
2. The Assistant Commissioner of Police,
Anna Nagar, Madurai-20.
3. The Inspector of Police,
E-2, Mathichiyam Police Station,
Madurai City, Madurai. ...Respondents in all Writ Petitions

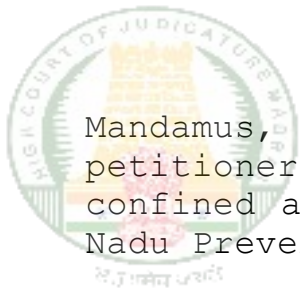
Prayer in W.P.(MD) 13398/2016: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 1st Respondent not to detain the petitioner's son, namely, Saravanan/ S/o.Kasipandian now confined at Central Prison, Madurai, under the provisions of Tamil Nadu Preventive Detention Act 14 of 1982.

Prayer in W.P.(MD) 13399/2016: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 1st Respondent not to detain the petitioner's son, namely, Subash Gandhi, S/o.Kadirvelan, now confined at Central Prison, Madurai under the provisions of Tamil Nadu Preventive Detention Act 14 of 1982.

Prayer in W.P.(MD) 13400/2016: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 1st respondent not to detain the petitioner's son, namely, Sathik @ Saya, S/o.Rabik Raja now confined at Borstal School, Pudukottai, under the provisions of Tamil Nadu Preventive Detention Act 14 of 1982.

<https://hcservices.ecourts.gov.in/hcservices/>

Prayer in W.P.(MD) 13401/2016: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of



Mandamus, directing the 1st Respondent not to detain the petitioner's husband, namely, Abubakkar Siddhik, S/o.Nagoor now confined at Central Prison, Madurai under the provisions of Tamil Nadu Preventive Detention Act 14 of 1982.

Prayer in W.P.(MD) 13402/2016: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 1st Respondent not to detain the petitioner's son, namely, Ganesh, S/o. Raja, now confined at Central Prison, Madurai under the provisions of Tamil Nadu Preventive Detention Act 14 of 1982.

Prayer in W.P.(MD) 13403/2016: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 1st respondent not to detain the petitioner's son, namely, Balakrishnan, S/o.Perumal now confined at Central Prison, Madurai under the provisions of Tamil Nadu Preventive Detention Act 14 of 1982.

For Petitioners : Mr.M.Seeni Sulthan

For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader

C O M M O N O R D E R

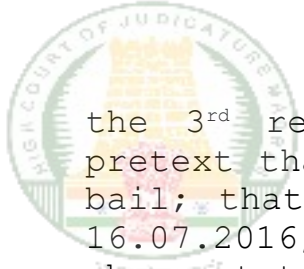
These petitions have been filed, seeking a direction to the 1st respondent not to detain the petitioners' respective relatives, who are confined at Central Prison, Madurai and Borstal School, Pudukottai, under the provisions of Tamil Nadu Preventive Detention Act 14 of 1982.

2. Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondents.

3. Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the Respondents. As a common question of facts is involved in all these petitions, by consent, they are all taken up together for final disposal. For the sake of brevity, facts are being derived from W.P.(MD) No.13398 of 2016.

Brief Facts:

4. The petitioner's son was arrested by the 3rd respondent in connection with a case in Crime No.478 of 2016 on 31.05.2016 for the alleged offences under Sections 147, 148, 302 and 506(ii) IPC; that though either the petitioner or his family members did not move any application for bail, the 3rd respondent attempted to create an atmosphere with the help of Advocates, as if the petitioner's son filed a petition for bail; that the intention of



the 3rd respondent is to detain him under Goondas Act on the pretext that there is a real possibility of her son coming out on bail; that since no action was taken on her representation dated 16.07.2016, the petitioner has approached this Court with the above stated relief.

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5. Learned Additional Government Pleader has submitted that the petitioner has involved in various crimes; that he is an anti social element and is also a History Sheeted Rowdy (H.S.No.296/2015) and that it is imperative on the part of the respondents to have a surveillance on the petitioners to prevent their involvement in further crimes. He has submitted that the petitioners have given representations to the respondents in this regard, which will be considered and orders will be passed thereon after taking into account the overall situation and circumstances.

6. Under such circumstances, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representation given by the petitioners dated 16.07.2016 and 25.07.2016 and pass appropriate orders on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order, after conducting personal enquiry with the respective petitioners.

With the above direction, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar.

To:

1. The Commissioner of Police,
Madurai City.
2. The Assistant Commissioner of Police,
Anna Nagar, Madurai-20.
3. The Inspector of Police,
E-2, Mathichiyam Police Station,
Madurai City, Madurai.

+1CC to the Special Government Pleader, SR.No. 41225

W.P(MD)Nos.13398 to 13403 of 2016

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