



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.10.2016

CORAM

WEB COPY

THE HON'BLE MR. JUSTICE K.KALYANASUNDARAM

W.P(MD)No.18205 of 2016

Ansari

... Petitioner

-vs-

1. The District Collector,
Thanjavur District, Thanjavur.
2. The Superintendent of Police,
Thanjavur District, Thanjavur.
3. The Inspector of Police,
Town (East Police Station),
Thanjavur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 13.09.2016 and not to detain him under the Act 14 branding him as boot-legger on the recommendation of the third respondent.

For Petitioner : Mr.A.Arun Prasad
For Respondents : Mr.K.P.Krishna Doss
Government Advocate

ORDER

This Writ Petition is filed seeking a direction to the first respondent to consider the representation of the petitioner dated 13.09.2016 and not to detain him under the Tamil Nadu Act 14 of 1982 and branding him as boot-legger.

2. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The learned Counsel appearing for the petitioner would submit that the petitioner has been falsely implicated in Cr.No.442 of 2016 for the offences under Sections 4(1) (aaa), 4(1)(i), 4(1-A) TNP Act and the respondents are taking steps to detain him under the Tamil Nadu Act 14 of 1982 and hence, the petitioner gave a representation to the first respondent, dated 13.09.2016 and so far,



it was not considered and hence, he came up before this Court with this Writ Petition.

4. The learned Government Advocate would submit that the petitioner along with other accused are involved in a criminal case for possession of 400 bottles of brandy made in Pondichery and 3 litres of spirit and hence a case in Cr.No.442 of 2016 has been registered against them. It is further submitted that the accused were released on bail on 08.09.2016 and subsequently, they have not complied with the conditions imposed on them.

5. Considering the nature of prayer sought for in this writ petition, the first respondent shall consider the representation of the petitioner dated 13.09.2016 on merits and in accordance with law and pass orders on the same within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Thanjavur District, Thanjavur.

2. The Superintendent of Police,
Thanjavur District, Thanjavur.

3. The Inspector of Police,
Town (East Police Station),
Thanjavur District.

+ 1 CC TO Mr.A.ARUN PRASAD, ADVOCATE IN SR No. 60330

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 60541

SSL

TE/GSV-PM/SAR-III : 03/11/2016 : 2P/6C

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