

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

TUESDAY, THE FOURTEENTH DAY OF JUNE, TWO THOUSAND AND SIXTEEN
(14.06.2016)

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

-
WRIT PETITION No.32718 OF 2015

Sampathi Lakshmipathi.

Petitioner.

And

The State of Telangana,
Rep. by the Chief Secretary,
(General Administration)
(Law and Order Department),
Secretariat, Hyderabad and
four others.

Respondents.

Counsel for the petitioner

: Mr. Syed Khader Mastan.

Counsel for the respondents
Nos.1 to 3.
Home

: Government Pleader for

(TS).

This Court made the following:

ORDER: (*Per Hon'ble Sri Justice C.V. Nagarjuna Reddy*)

This petition is filed for issue of Writ of *Habeas Corpus* directing release of Sampathi Bikshapathi Raju @ Raju, S/o. Late Satyanarayana (Hereinafter referred to as the detenu), from detention, after setting-aside the detention order in Proceedings S.B.(I) No.407/PD/S-1/2015 dated 09.07.2015, approved *vide* G.O.Rt. No.2008, General Administration (Law and Order) Department, dated 17.07.2015 and confirmed *vide* G.O.Rt. No.2509, General Administration (Law and Order) Department, dated 08.09.2015.

We have heard the learned counsel for the petitioner and learned Government Pleader for Home (TS). It is stated in the impugned detention order that the petitioner was involved in as many as 19 criminal cases pertaining to theft of motor vehicles during the years 2014-15.

Learned counsel for the petitioner advanced two submissions *viz.*, that 1) the detention order and all the material, on which the detaining authority has placed reliance, supplied to the detenu were in English and that, therefore, the detention order is liable to be set-aside on this ground alone and 2) while the detention order was made on 09.07.2015, it was confirmed on 08.09.2015 and that, therefore, the detention order is contrary to the provisions of The Telangana Prevention of Dangerous Activities of Boot Leggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (for short, 'the Act').

As regards the first submission of learned counsel, he has admitted that the detenu is a graduate in Arts through distance mode but has studied in Telugu medium. In our opinion, a graduate, irrespective of the medium in which he has studied, is expected to understand the documents written in English though he may not be capable of speaking English fluently or eloquently. Therefore, we do not find any merit in this ground.

As regards the second submission, under Section 3(3) of the Act, no detention order shall remain in force for more than twelve days after the making thereof, unless, in the meantime, it has been approved by the Government.

It is clear from the record that while the detention order was made on 09.07.2015, the same was approved by the Government *vide* G.O.Rt. No.2008 General Administration (Law and Order) Department, dated 17.07.2015 and G.O.Rt. No.2509, General Administration (Law and Order) Department, dated 08.09.2015, relied on by the counsel for the petitioner is only confirmatory in nature. Since the detention order was approved on the 12th day of its coming into force, the submission of learned counsel is also without any merit.

For the above mentioned reasons, we do not find any ground to interfere with the detention order. Hence, the Writ Petition is dismissed.

C.V. NAGARJUNA REDDY, J

G. SHYAM PRASAD, J

Date: 14-06-2016.

Dsh

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WRIT PETITION No.32718 OF 2015
(Order of the Division Bench delivered by
Hon'ble Sri Justice C.V. Nagarjuna Reddy)

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Date. 14-06-2016

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