

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI**

WRIT PETITION No.16501 OF 2016

O R D E R

(per Hon'ble Sri Justice Sanjay Kumar)

The petitioner challenges the detention of his sister, Geetha Bai, who was subjected to preventive detention under the order dated 07.05.2016 of the Collector and District Magistrate, Hyderabad District, issued in exercise of power under Section 3(1)&(2) read with Section 2(a)&(b) of the Telangana Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug-Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986. The said detention was confirmed by the Government of Telangana vide G.O.Rt.No.1605, General Administration (Law & Order) Department, dated 20.07.2016, whereby the detention of Geetha Bai was extended for a period of twelve months from the date of her actual detention, 07.05.2016.

Though various issues are raised in the affidavit filed in support of the writ petition, Sri M. Surya Prakash, learned counsel for the petitioner, would state that the matter is squarely covered by the decision rendered by this Court in W.P.No.13365 of 2016.

A copy of the order dated 07.09.2016 passed by this Court in W.P.No.13365 of 2016 is placed on record and reflects that following the settled legal position, as was adverted to in **VASANTHU SUMALATHA V/s. STATE OF ANDHRA PRADESH REP. BY ITS CHIEF SECRETARY, HYDERABAD¹**, this Court allowed the writ petition setting aside the detention in the said case on the short ground that the detenu was not supplied the material relied upon by the detaining authority in a vernacular language known and understood by the detenu.

In the present case, Sri M. Surya Prakash, learned counsel, states that the detenu, Geetha Bai, knows how to speak Hindi language and that she is incapable of reading or writing any

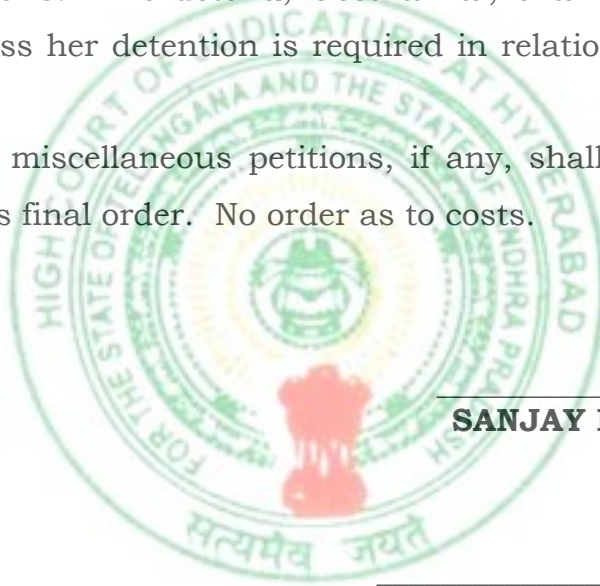
¹ 2016 (1) ALT 738 (D.B.)

language. Learned counsel would further state that she is a markswoman.

Learned Assistant Government Pleader appearing for the State of Telangana admits these facts. He also admits to the fact that the documents relied upon by the detaining authority, which were supplied to the detenu, were in Telugu, Hindi and English languages and translated copies thereof were not furnished to her.

In the light of the admitted failure on the part of the State to safeguard the constitutional right of the detenu to effectively make a representation against her detention by fully apprising her of all the details and materials relied upon by the detaining authority, the writ petition is allowed setting set aside the detention order dated 07.05.2016 which was confirmed thereafter vide G.O.Rt.No.1605 dated 20.07.2016. The detenu, Geetha Bai, shall be set at liberty forthwith unless her detention is required in relation with any other case.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.



SANJAY KUMAR, J

M.SEETHARAMA MURTI, J

28th September, 2016

PGS