

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

WRIT PETITION No.23609 OF 2016

O R D E R

(per Hon'ble Sri Justice Sanjay Kumar)

The petitioner challenges the detention of her husband, Manish Singh @ Manish @ Manish Kumar, who was subjected to preventive detention under the order dated 12.05.2016 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.1733, General Administration (Law & Order) Department, dated 05.08.2016, whereby the detention of Manish Singh @ Manish @ Manish Kumar was extended for a period of twelve months from the date of his actual detention.

Though various issues are raised in the affidavit filed in support of the writ petition, Smt. Mohana Reddy, 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, Smt. B.Mohana Reddy, learned counsel, states that the detenu, Manish Singh @ Manish @ Manish Kumar,

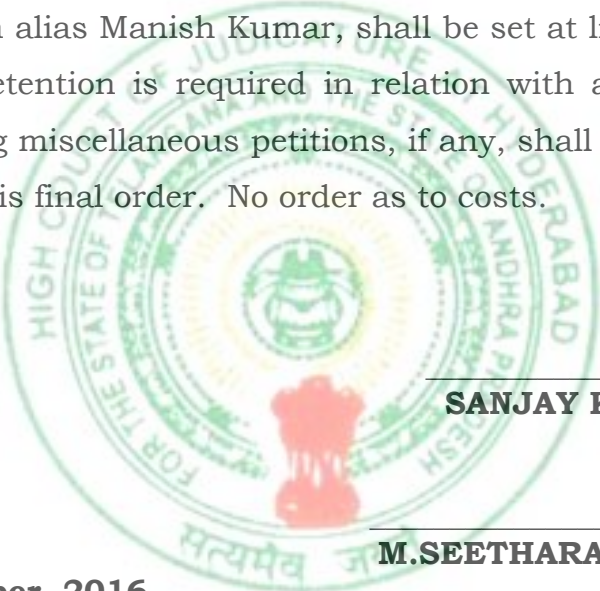
¹ 2016 (1) ALT 738 (D.B.)

knows how to speak Hindi language and that he is incapable of reading or writing any language.

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 and English languages and translated copies thereof were not furnished to him.

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 his detention by fully apprising him of all the details and materials relied upon by the detaining authority, the writ petition is allowed setting set aside the detention order dated 12.05.2016 which was confirmed thereafter vide G.O.Rt.No.1733 dated 05.08.2016. The detenu, Manish alias Manish Singh alias Manish Kumar, shall be set at liberty forthwith unless his 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

