

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.11.2017

Coram

THE HON'BLE MR.JUSTICE RAJIV SHAKDER  
&  
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.1070 of 2017

Rekha ..Petitioner/Wife of the detenue  
Vs.

1.State of Tamil Nadu  
Rep. By its Secretary to Government  
Home, Prohibition and Excise Department  
Fort St. George, Chennai - 600 009.

2.The Commissioner of Police/  
Detaining Authority  
O/o.The Commissioner of Police  
Coimbatore City,  
Coimbatore.

3.The Additional Secretary  
Government of India,  
Ministry of Consumer Affairs  
Food and Public Distribution,  
(Dept. of Consumer Affairs)  
Room No.270, Krishi Bhawan,  
New Delhi - 110 001.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to call for the entire records, relating to the petitioner's husband detention under Section 3(1) r/w. 3(2) (b) of the Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act 1980 (Central Act 7 of 1980), vide detention order, dated 21.06.2017 on the file of the second respondent herein made in proceedings Memo C.No.04/PBMMSEC Act/IS/2017, quash the same as illegal and consequently direct the respondents herein to produce the petitioner's husband namely N.Karthik, S/o.Natarajan, aged 33 years before this Court and set the petitioner's son at liberty from detention, now the petitioner's son detained at Central Prison, Coimbatore.

For Petitioner : Mr.W.Camyles Gandhi  
For Respondents : Mr.V.M.R.Rajentran,  
Addl. Public Prosecutor  
for R1 & R2.  
Mr.S.Arockiam,  
Central Govt. Standing Counsel  
for R3

O R D E R

(Order of the Court was made by RAJIV SHAKDER, J)

1. The petitioner is the wife of the detenu, namely, Karthik, S/o.Natarajan, male, aged about 33 years. The detenu stands detained by the second respondent by virtue of his order bearing C.No.04/PBMMSEC Act/IS/2017, dated 21.06.2017, wherein, he has been held to be an offender as contemplated under the Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980, (Central Act 7 of 1980).

1.1. The said order is under challenge in this Habeas Corpus Petition.

2. The learned Additional Public Prosecutor submits that the said order of detention, passed by the second respondent against the husband of the petitioner has been revoked by the Government in G.O.Rt.No.222, Cooperation, Food and Consumer Protection (E1) Department dated 04.08.2017; a copy of the order has also been produced.

3. The submission of the learned Additional Public Prosecutor, is taken on record. Accordingly, the petition is closed, as the same has been rendered infructuous.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

vsm

To

- 1.The Secretary to Government  
Home, Prohibition and Excise Department  
Fort St. George, Chennai - 600 009.
  - 2.The Commissioner of Police/Detaining Authority  
O/o.The Commissioner of Police  
Coimbatore City,  
Coimbatore.
  - 3.The Additional Secretary,  
Government of India,  
Ministry of Consumer Affairs  
Food and Public Distribution,  
(Dept. of Consumer Affairs)  
Room No.270, Krishi Bhawan,  
New Delhi - 110 001.
  - 4.The Superintendent,  
Central Prison,  
Coimbatore.
  - 5.The Public Prosecutor,  
Madras High Court,  
Chennai.
- + 1 cc to Mr.S. Arockiam, Advocate SR.78671

H.C.P.No.1070 of 2017

VGII(CO)  
EU(06/12/2017)

सत्यमेव जयते

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