

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2017

CORAM:

**THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER
And
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

H.C.P.No.1894 of 2017

S.Porselvi
W/o.Stephan

... Petitioner

-VS-

1.The Government of Tamil Nadu
Rep. by its Secretary, Home,
Prohibition and Excise Department,
Fort St.George, Chennai – 600 009.

2.The Commissioner of Police,
Office of Commissioner of Police,
Veppery, Chennai.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the records in detention order Memo.No.539/BCDFGISSSV/2017 Dated 05.09.2017 on the file of the 2nd respondent and quash the same and direct the respondents herein to

produce the body of the petitioner's husband J.Stephan, aged about 28 years, the detenu now confined in Central Prison, Puzhal, before this Hon'ble Court and set him at liberty.

For Petitioner : Mr.K.Kannan
For Respondents : Mr.V.M.R.Rajentran
Additional Public Prosecutor

ORDER

[Order of the Court was made by RAJIV SHAKDHER, J.]

1. The petitioner is the wife of the detenu, namely, J.Stephan, S/o.Jampu, male, aged about 28 years. The detenu stands detained by the second respondent by virtue of his order bearing No.539/BCDFGISSSV/2017 dated 05.09.2017, wherein, he has been held to be a "Goonda", within the meaning of Section 2(f) of the Tamil Nadu Act 14 of 1982.

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submits that the said order of detention, passed by the second respondent against the husband of the petitioner has been revoked by the Government in G.O.Rt.No.5161, Home, Prohibition & Excise (XIII) Department dated 27.10.2017; a copy of the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.

[R.S.A.,J.] [N.S.K.,J.]
21.12.2017

Speaking Order/ Non Speaking Order

Index : Yes / No

Internet : Yes / No
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To:

1.The Government of Tamil Nadu
Rep. by its Secretary, Home,
Prohibition and Excise Department,
Fort St.George, Chennai – 600 009.

2.The Commissioner of Police,
Office of Commissioner of Police,
Veppery, Chennai.

3.The Superintendent,
Central Prison, Puzhal,
Chennai.

4.The Additional Public Prosecutor,
Madras High Court,
Madras.

**RAJIV SHAKDHER, J.
And
N.SATHISH KUMAR, J.**

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