

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.05.2017

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

H.C.P. No.266 of 2017

Tmt.Jeevitha ... Petitioner /Wife of the detenue

Vs

1.The Additional Secretary to Government of India,
Ministry of Consumer affairs,
Food and Public Distribution,
(Department of Consumer Affairs)
Room No.270, Krishi Bhavan,
New Delhi-110 001.

2.The Secretary to the Government,
Co-operation Food and Consumer
Protection Department,
Namakkal Kavingnar Maaligai,
II Floor, Secretariat,
Chennai-600 009.

3.The District Collector and
District Magistrate,
Vellore District,
Vellore.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of Habeas Corpus call for the records in Connection with the order of detention passed by the 3rd respondent in his Office Ref.C.3D.O.No.08/2017 against the petitioner's husband namely Thiru.Settu, S/o.Pandu, aged about 32 years, confined at Central Prison, Vellore, Vellore District and set-aside the same and direct the respondents to produce the detenue before this Court and set him at liberty.

For Petitioner : Mr.E.Kannadasan

For R-1 : Mr.S.Arockiam, CGSC

For RR 2 & 3 : Mr.E.Raja, APP

ORDER

[Order of the court was made by M.M.SUNDRESH, J.,]

The detention order dated 22.01.2017 is sought to be challenged on the ground of delay.

2. The learned counsel for the petitioner would submit that though a representation was made on 14.02.2017, it was finally disposed of on 24.03.2017 and hence, the detention order is vitiated on the ground of delay.

3. The learned Additional Public Prosecutor would also submit that the representation dated 14.02.2017, was finally disposed of on 24.03.2017.

4. Thus, as fairly submitted by the Additional Public Prosecutor, there appears to be delay warranting interference.

5. Accordingly, the habeas corpus petition is allowed and the detention order dated 22.01.2017, passed by the third respondent is quashed. The detenu, viz., Settu, S/o.Pandu is directed to be set at liberty, forthwith, unless his presence is required in connection with any other case.

Sd/-

Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

RJ/KP
To

1.The Secretary to Government,
Home, Prohibition and Excise Department,
Fort st. George, Chennai-9.

2.The Additional Secretary to Government of India
Ministry of Consumer affairs,
Food and Public Distribution,
(Department of Consumer Affairs)
Room No.270, Krishi Bhavan,
New Delhi-110 001.

3.The Superintendent,
Central Prison, Vellore.

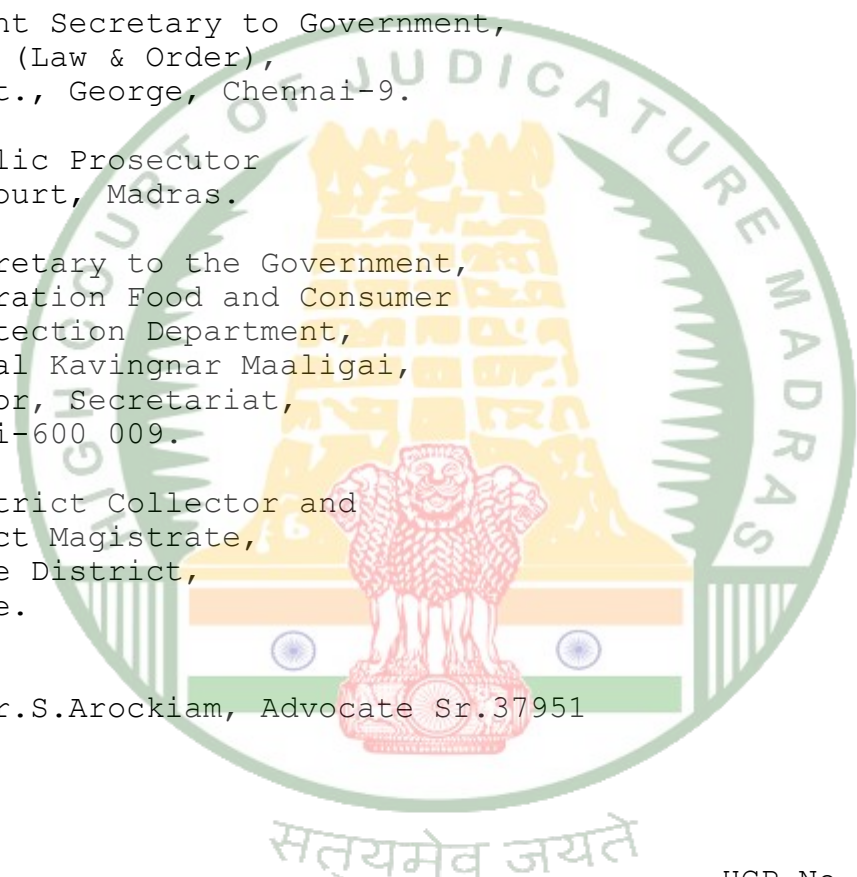
4.The Joint Secretary to Government,
Public (Law & Order),
Fort St., George, Chennai-9.

5.The Public Prosecutor
High Court, Madras.

6.The Secretary to the Government,
Co-operation Food and Consumer
Protection Department,
Namakkal Kavingnar Maaligai,
II Floor, Secretariat,
Chennai-600 009.

7.The District Collector and
District Magistrate,
Vellore District,
Vellore.

+lcc to Mr.S.Arockiam, Advocate Sr.37951



HCP.No.266 of 2017

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