

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.07.2017

CORAM

THE HON'BLE Mr.JUSTICE A.SELVAM
and
THE HON'BLE Mr.JUSTICE P.KALAIYARASAN

H.C.P.No.598 of 2017

M.Moorthy @ Sivamoorthy

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep.by Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-9.

2. The District Collector and
District Magistrate,
Salem District, Salem.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, to produce the body of the detenu by name Moorthy @ Sivamoorthy S/o Manickam presently confined at Central Prison, Salem before this Hon'ble Court and set him at liberty forthwith, after calling for the records pertaining to the detention order dated 23.02.2017 made in C.M.P.No.12/Goonda/C2/2017 passed by the 2nd respondent, quash the same.

For Petitioner : No appearance

For Respondents : Mr.V.M.R.Rajentran,
Additional Public Prosecutor

O R D E R

[Order of the Court was made by A.SELVAM, J.]

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to call for the records relating to the detention order passed in C.M.P.No.12/Goonda/C2/2017 dated 23.02.2017 by the Detaining Authority against the detenu by name, Moorthy @ Sivamoorthy, aged 30 years, S/o Manickam residing at 128, Sakthi Nagar, Manickampalayam, Erode District and quash the same.

2. Learned counsel appearing for the petitioner is not present.

3. Learned Additional Public Prosecutor has represented that the Detention Order in question has already been revoked, by virtue of G.O.Rt.No.1791 dated 17.04.2017 and a copy of the same is submitted, wherein, it is clearly stated that the Detention Order in question has been revoked.

4. Considering the above said factual circumstances, the relief sought in the petition has become infructuous.

5. In fine, this petition is dismissed as infructuous.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The State of Tamil Nadu,
The Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-9.
2. The Joint Secretary to Government,
Public Law & Order, Fort St.George,
Chennai-9
3. The Superintendent,
Central Prison, Salem.
4. The District Magistrate and
District Collector,
Salem District, Salem.
5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Saravanan, Advocate, S.R.No.50504

H.C.P.No.598 of 2017

PVS(CO)
CS/21/08/17