

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2017

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH

W.P. No. 17428 of 2017

Pavunammal

..Petitioner

Vs

1. The State Rep. by
The District Collector,
Office of the District Collector,
Krishnagiri.

2. The Inspector of Police,
Uthankarai Police Station,
Uthankarai,
Krishnagiri District.

..Respondents

Prayer : Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent for not passing Detention Order against the petitioner's son Mohan @ Jim Mohan, S/o. Ganesan.

For Petitioner : Mr.D. Mario Johnson

For Respondents : Mr.D.Vairamorrthy,
Special Government Pleader.

ORDER

Apprehending the petitioner's son might be implicated under the Tamil Nadu Act 14 of 1982, the present petition has been filed seeking for a direction to the first respondent for not passing detention order against the petitioner's son.

2. At the outset, I am of the view that such petition seeking for a negative direction, to refrain from passing a detention order cannot be made. Even otherwise this Court exercising its jurisdiction under Article 226 of Constitution of India, cannot pass such blanket orders, which powers are vested with the first respondent herein and it is open to the first respondent to pass such detention orders on the facts of each and every case.

3. Nevertheless, the learned counsel for the petitioner submits that, he would be satisfied if his representation made to the District Collector on 05.07.2017 is considered on its own merits.

4. Under such circumstances, there shall be a direction to the first respondent to consider the petitioner's representation dated 05.07.2017 on its own merits and pass orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

With these observations, the Writ Petition is disposed of.
No Costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

dh/ak

To

1. The District Collector,
Office of the District Collector,
Krishnagiri.
2. The Inspector of Police,
Uthankarai Police Station,
Uthankarai,
Krishnagiri District.

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RSI (CO)
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