

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2017

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE T.MATHIVANAN

H.C.P.No.1530 of 2016

Shanthi .. Petitioner
Vs

- 1.The State of Tamilnadu,
rep by its Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai-600 009.
- 2.The Commissioner of Police,
Chennai Police,
Vepery, Chennai.7. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to call for the entire records leading to the detention of the petitioner's son, Umapathi, son of Balan, aged about 27 years, presently lodged in Central Prison, Puzhal, Chennai, vide detention order, dated 12.7.2016, on the file of the second respondent, made in memo No.686/BCDFGISSSV/2016, quash the same and consequently to direct the respondents to produce the body and person of the detenu, before this Court and to set him at liberty.

For Petitioner : Mr.M.Rajavelu

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

ORDER

This Habeas Corpus Petition has been filed, by the mother of the detenu, namely, Umapathi, aged about 27 years, son of Balan, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in BCDFGISSSV No.686/2016, dated 12.7.2016, passed by the second Respondent, detaining the detenu, under Section 3(1) of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug

Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 (Tamil Nadu Act 14 of 1982), branding him as a "Goonda", in the Central Prison, Puzhal, Chennai, and to quash the same and to direct the Respondents to produce the body of the detenu and to set him at liberty.

2 At this stage of the hearing of the Habeas Corpus Petition, the learned Additional Public Prosecutor appearing on behalf of the respondents would submit that the order of detention passed by the second respondent, against the son of the petitioner, dated 12.7.2016, has been revoked by the Government, in G.O. Rt. No.3978, Home, Prohibition and Excise (X) Department, dated 23.8.2016 and he has also produced a copy of the said order.

3 Recording the submission of the learned Additional Public Prosecutor, this petition is dismissed, as infructuous.

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

To

1. The Secretary,
The State of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Police,
Chennai Police,
Vepery, Chennai.7
3. The Superintendent, Central Prison, Puzhal, Chennai
4. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1530 of 2016

sp/2/2