

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2017

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

H.C.P.No.1627 of 2016

Thanalakshmi .. Petitioner

Vs

1.The State of Tamil Nadu,
rep by its Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George,
Chennai-600 009.

2.The Commissioner of Police,
Chennai city Police,
Commissioner Office, Egmore,
Chennai-600 008.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to call for the records relating to the impugned order, in BCDFGISSSV No.737/2016, dated 19.7.2016, on the file of the second respondent and to set aside the same, as illegal and to direct the respondents to produce the detenu Kotti @ Koteeswaran, son of Sathiyannarayanan, aged about 26 years, confined in the Central Prison, Puzhal, Chennai, before this court and to set him at liberty.

For Petitioner : Mr.Ilayaraja Kandasamy

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

ORDER

(Order of the Court was made by M.JAICHANDREN,J.)

This Habeas Corpus Petition has been filed, by the wife of the detenu, namely, Kotti @ Koteeswaran, aged about 26 years, son of Sathyanarayanan, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in

BCDFGISSSV No.737/2016, dated 19.7.2016, 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 set him at liberty forthwith.

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the order of detention passed by the second respondent, against the husband of the petitioner, dated 19.7.2016, has been revoked by the Government, in G.O. Rt. No.4138, Home, Prohibition and Excise (X) Department, dated 31.8.2016 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

vvk

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 city Police,
Commissioner Office, Egmore,
Chennai-600 008.
- 3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.1627 of 2016

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