

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2017

CORAM

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

H.C.P.No.1667 of 2016

Devi . . . Petitioner

Vs

1.The Secretary to the Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600 009.

2.The Commissioner of Police,
Greater Chennai,
Chennai.

... 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 in connection with the order of detention passed by the second respondent dated 22.7.2016 in Memo No.755/BCDFGISSSV/2016, against the husband of the petitioner, Ilayaraja @ Pachaimuthu @ Olai Pachaimuthu, aged 39 years, son of Subramani, confined in the Central Prison, Puzhal, Chennai and to set aside the same and consequently, to direct the respondents to produce the detenu before this Court and set him at liberty.

For Petitioner : Mr.K.S.Kaviarasu

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

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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, Ilaiyaraja @ Pachaimuthu @ Olai Pachaimuthu, aged about 39 years, son of Subramani, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to call for the records, in No.755/BCDFGISSSV/2016, dated 22.7.2016, 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 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the order of detention passed by the second respondent, against the husband of the petitioner, dated 22.7.2016, has been revoked by the Government, in G.O. Rt. No.4828, Home, Prohibition and Excise (XIII) Department, dated 6.10.2016 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.

sd/-

Assistant Register

//True Copy //

सतयमेव जयते
Sub Assistant Register

vvk

To

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

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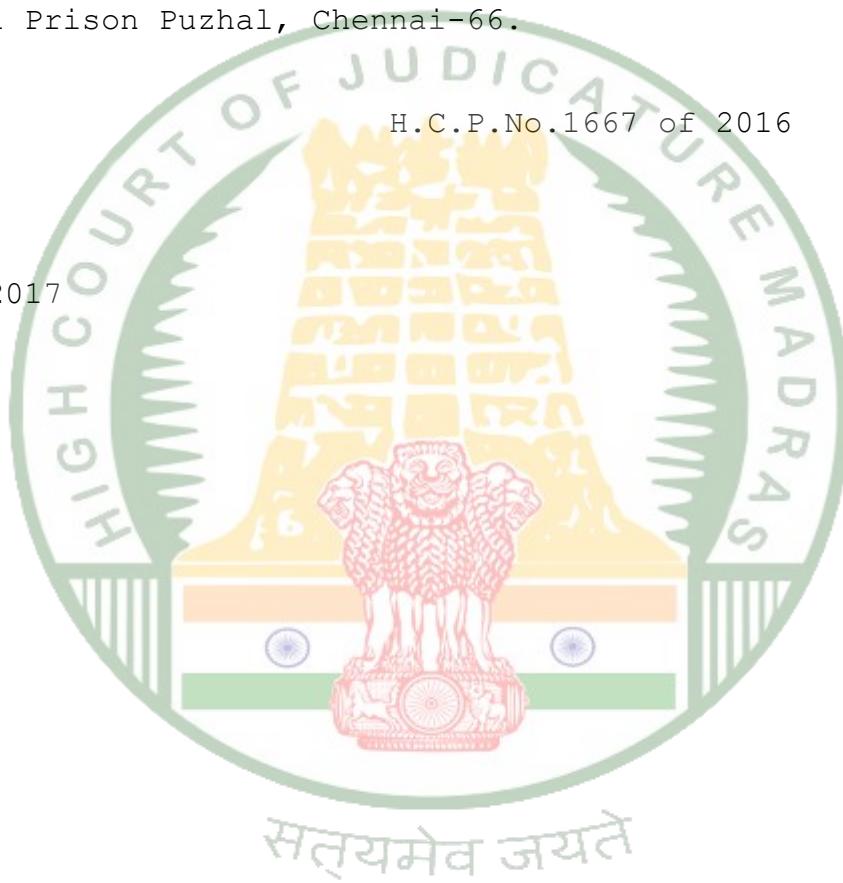
2.The Commissioner of Police,
Greater Chennai,
Chennai.

3.The Public Prosecutor,
High Court, Madras.

4. The Superintendant,
Central Prison Puzhal, Chennai-66.

H.C.P.No.1667 of 2016

SS [CO]
RR 28/02/2017



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