

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2017

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU

and

THE HON'BLE DR.JUSTICE ANITA SUMANTH

H.C.P.No.2577 of 2016

K.Kanmani

...Petitioner

versus

1.The Commissioner of Police,
Commissioner Office-Greater Chennai,
Vepery, Chennai-7.

2. The Secretary to Government of Tamil Nadu,
Prohibition & Excise Department, (Home)
Secretariat, Fort St. George,
Chennai -600 009.

...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 of the 1st Respondent in connection with the order of 1st respondent dated 24.10.2016, Memo No.1104/BCDFGISSSV/2016, Balaji @ Kakkathoppu Balaji, son of Ramalingam, aged about 35 years as a Goonda under Tamil Nadu Act 14 of 82 and set aside the same and direct the respondent to produce the body of the said detenu, the detenu now lodged in Central Prison, Puzhal, Chennai, before this Hon'ble court and set him at liberty.

For Petitioner : Mr.P.Prince Premkumar

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

O R D E R

[Order of the Court was made by S.NAGAMUTHU, J.]

Challenge is made to the order of detention passed by the first respondent vide Proceedings in Memo No.1104/BCDFGISSSV/2016 dated 24.10.2016, whereby the detenu, namely Balaji @ Kakka Thoppu Balaji, S/o Ramalingam, aged about

35 years, was ordered to be detained under GOONDA as contemplated Section 2(f) of the Tamil Nadu Act 14 of 1982.

2.The learned Additional Public Prosecutor would submit that the order of detention passed by the second respondent as against the son of the petitioner dated 24.10.2016 has been revoked by the Government in G.O. Rt. No.6101, HOME, PROHIBITION & EXCISE (X) DEPARTMENT, dated 02.12.2016 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 Registrar

//True Copy//

Sub Assistant Registrar

jbm/kak

To

- 1.The Commissioner of Police
Commissioner Office-Greater Chennai,
Vepery, Chennai-7.
2. The Secretary
Government of Tamil Nadu,
Prohibition & Excise Department, (Home)
Secretariat, Fort St. George,
Chennai -600 009.
3. The Superintendent,
Central Prison,Puzhal,
Chennai.
4. The Public Prosecutor, Madras.

PA(CO)
RS(11/05/2017)

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