

HON'BLE SRI JUSTICE SANJAY KUMAR

And

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.5167 OF 2017

ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

The petitioner seeks a writ of *habeas corpus* to produce her husband, Kolakuntla Satyanarayana, who was detained in Central Prison, Warangal, pursuant to the order of detention dated 07.02.2017 passed by the Collector and District Magistrate, Khammam, and to set him at liberty.

The order of detention dated 07.02.2017 was passed by the Collector and District Magistrate in exercise of power under Section 3(1) and (2) of the Prevention of Black-marketing and Maintenance of Supplies of Essential Commodities Act, 1980 (for short, 'the Act'). Section 13 of the Act makes it clear that the maximum period for which a person may be detained in pursuance of any detention order passed under the Act shall be six (6) months from the date of detention. That being so, as the order of detention was passed on 07.02.2017 and the petitioner's husband is said to have been taken into custody pursuant thereto immediately, the maximum period of six months of detention has worked itself out.

The writ petition is accordingly allowed directing the respondents to forthwith set at liberty the petitioner's husband, Kolakuntla Satyanarayana, who is detained in Central Prison,

Warangal, unless his detention is required in connection with any other case.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR, J

Dr. JUSTICE SHAMEEM AKTHER, J

Date: 08-08-2017.
Dsh



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(Order of the Division Bench delivered by
Hon'ble Sri Justice Sanjay Kumar)

Date. 08-08-2017

DSH