

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2018

CORAM:

THE HON'BLE MR.JUSTICE M.VENUGOPAL
AND
THE HON'BLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.150 of 2018

Kuppayee

.... Petitioner

vs.

1. The State of Tamil Nadu,
rep.by its Secretary to Government,
(Home), Prohibition & Excise Department,
Secretariat,
Chennai-9

2. The District Magistrate and
District Collector,
Namakkal District

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus directing the respondents to produce the body of the petitioner's husband namely Madeswaran, who is detained in Central Prison, Salem, before this Court and set him at liberty forthwith by calling for the records pursuant to the Detention order made in C.M.P.No.22/Bootlegger/2017/M1, dated 19.12.2017, on the file of the 2nd respondent and quash the same.

For Petitioner : Mr.I.C.V.Vasudevan

For Respondents : Mr.R.Ravichandran
Government Advocate (Crl.Side)

ORDER

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

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to call for the records relating to detention order, dated 19.12.2017, passed in C.M.P.No.22/Bootlegger/2017/M1, by the detaining authority, who has been arrayed as the second respondent herein, against the detenu, by name Madeswaran, aged 44 years, son of Muthusamy, residing at No.3/54, Nathukulikadu, Keelur, Kedamalai, Rasipuram, Namakkal District and quash the same.

2.It is represented by the Learned Government Advocate that the detention order in question was revoked by the Government of Tamil Nadu, as per G.O.Rt.No.384, Home, Prohibition & Excise (XIV)) Department, dated 31.01.2018, and that the Government had ordered for release of the Detenu, viz., Madeswaran, son of Late Muthusamy, from detention. A copy of the said order is produced before this Court. On perusal of the said copy of the order, it is evident that the detention order in question was revoked.

3.At this stage, the Learned Counsel for the Petitioner has made an endorsement that he is not pressing the present Habeas Corpus Petition.

4.Considering the aforesaid factual circumstances, the relief sought in the petition has become an infructuous one.

In fine, this Habeas Corpus Petition is disposed of accordingly.

s/d-
Assistant Registrar(CS-V)

True Copy

Sub-Assistant Registrar

msk
To

1. The Secretary to Government,
(Home), Prohibition & Excise Department,
Secretariat,
Chennai-9
2. The District Magistrate and
District Collector,
Namakkal District
3. The Superintendent of Prison,
Salem.
4. The Public Prosecutor,
High Court, Madras

H.C.P.No.150 of 2018

KAN(CO)
SP(15/05/2018)