

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.534 of 2018

B.Vijaya

... Petitioner

-Vs-

1.The State of Tamilnadu,
Represented by its Secretary,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.

2.The Commissioner of Police,
Greater Chennai,
Veppery, Chennai-600 007.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, calling for the records pertaining to the impugned detention order vide. BCDFGISSSV No. 131/2018 dated 05.03.2018 passed by the Second Respondent and approved by the First Respondent herein and quash the same as illegal and consequently direct the respondents to produce the detenu Babu @ Benjamin, son of Chandran, aged 31 years, now confined at Central Prison, Puzhal, Chennai before this Hon'ble court and set him at liberty.

For Petitioner : Mr.S.Kingston Jerold

For Respondents : Mr. M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

[Order of the Court was made by C.T.SELVAM, J.]

The petitioner, who is the Wife of the detenu herein, viz., Babu @ Benjamin, S/o. Chandran, aged 31 years, has come forward with this petition challenging the detention order passed by the second respondent by his order in BCDFGISSSV No.131/2018, dated 05.03.2018 against her husband branding him as a "Goonda" under 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].

2. The learned Additional Public Prosecutor would submit that the order of detention passed by the second respondent as against the husband of the petitioner herein dated 05.03.2018 has been revoked by the Government in G.O.Rt.No.1463 Home, Prohibition & Excise [X] Department dated 16.04.2018 and he has also produced a copy of the said order.

3. Recording the submission of learned Additional Public Prosecutor, this Habeas Corpus Petition is closed as the same has become infructuous.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary,
Home, Prohibition and Excise Department,
Fort St.George, Chennai-600 009.
- 2.The Commissioner of Police,
Greater Chennai,
Veppery, Chennai 600 007.
- 3.The Superintendent,
Central Prison Puzhal Chennai-66
- 4.The Joint Secretary to Government(Law & Order)
Department, Fort St.George, Chennai-9
- 5.The Public Prosecutor,
High Court, Madras.

H.C.P.No.534 of 2018

KS(CO)
GSP(31/08/2018)