



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P[MD]No.472 of 2018

S.Gandhimathi

: Petitioner

Vs.

1.The Secretary,

Ministry of External affairs,
Union of India,
E Block, Central Secretariat,
New Delhi - 110 001.

2.The Protector General of Emigrants,

Ministry of Overseas Indian affairs,
Union of India, 9th Floor, Akbar Bhavan,
Chanakyaपुरी, New Delhi - 110 021.

3.The Joint Secretary,

The Ministry of Home Affairs,
North Block, Cabinet Secretariat,
Raisina Hill, New Delhi - 110 001.

4.The Principal Secretary / Commissioner,

Commissionerate of Rehabilitation and
Welfare of Non-Resident Tamils,
Chepauk, Chennai - 600 005.

5.The First Secretary (CS)./ Counsellor,

(Counsellor and Chief Welfare Officer),
High Commission of India in Malaysia, Kuala Lumpur.

6.The Home Secretary, Home Department,

State of Tamil Nadu,
Fort St. George, Chennai - 600 009.

7.The District Collector,

O/o. the District Collector,
Sivagangai District.

8.The Superintendent of Police,

O/o. the Superintendent of Police,
Sivagangai District.

9.The Inspector of Police,

Karaikudi North Police Station,
Karaikudi,
Sivagangai District.



10.Habeeb Rahman

11.Kumar

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents 1 to 9 to produce the body or person of the petitioner's husband namely Senthilnathan, son of Y.K.Venkatachalam aged about 44 years before this Court and set him at liberty forthwith.

For Petitioner : Mr.S.M.A.Jinnah
For Respondents 4 to 9 : Mr.K.Dinesh Babu
Additional Public Prosecutor
For Respondents
No.1 to 3 : Mr.K.R.Laxman
Central Government Standing Counsel
For Respondents
No.10&11 : No Appearance

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner is the wife of the detenu. This petition has been filed on the ground that the whereabouts of the detenu is not known after he left for Malaysia and for the past eight [8] years he could not be contacted.

2.The learned Additional Public Prosecutor appearing for the official respondents would submit that there is an apprehension that the detenu has been done away with by others after he won lottery. This is an information given by the High Commission of India.

3.In the light of the above, we are not inclined to keep this matter pending. The High Commission of India has taken sufficient steps. However, no progress is being made. In such view of the matter, we are inclined to close this Habeas Corpus Petition with a direction to the High Commission of India to continue to look for the detenu. We also make it clear that it is always open to the petitioner to come up with a fresh petition based on the new improvements.

4.The Habeas Corpus Petition is disposed of, accordingly.

Sd/-

Assistant Registrar(Records)

/True Copy/



To

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E Block, Central Secretariat,
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2. The Protector General of Emigrants,
Ministry of Overseas Indian affairs,
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Sivagangai District.
9. The Inspector of Police,
Karaikudi North Police Station,
Karaikudi, Sivagangai District.
10. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.K.R.Laxman, Advocate, SR.No. 91259

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