

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No. 31038 OF 2017

DATED 07th FEBRUARY, 2018

Between:

Modalavalasa Rajesh

... Petitioner

AND

The Collector & District Magistrate,
Srikakulam District at Srikakulam,
Andhra Pradesh, and others

... Respondents

Counsel for the petitioner : Sri S.R.Sanku

Counsel for the respondents : Special Government Pleader (AP)

THE COURT MADE THE FOLLOWING

ORDER: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This Writ Petition is filed for the following substantive relief:

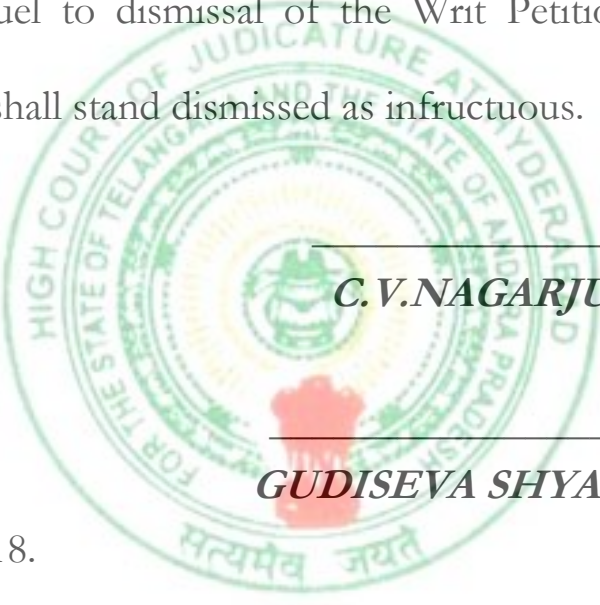
"For the reasons stated above, it is therefore prayed that this Hon'ble Court may be pleased to issue an appropriate writ, direction or order, more particularly one in the nature of Writ of Habeas Corpus, directing the respondents to forthwith release the detainee by name Modalavalasa Chiranjeevi, S/o late Appa Rao, aged about 55 years, Occ: Advocate, R/o Fareedpeta Village, Etcherla Mandal, Srikakulam District, from the Central Prison, Visakhapatnam, as his detention pursuant to the orders of the respondent No. 1 i.e., his proceedings vide Rc.No. 1593/C5/2017, dated 09-09-2017, is illegal, arbitrary, void and violating Article 21 of the Constitution of India and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

2. At the hearing, learned Special Government Pleader, representing learned Advocate General (A.P.), has submitted that the impugned preventive detention order was revoked by the Government of Andhra Pradesh vide G.O.Rt.No. 2247 General Administration (SC.I) Department dated 09-10-2017. A copy of the said order has been placed before us. Learned counsel for the petitioner has submitted that the detenu also filed W.P.No. 41043 of 2017 seeking award of damages for his illegal detention.

3. Inasmuch as the impugned detention order was revoked by the Government itself, the cause in this Writ Petition does not survive for adjudication.

4. The Writ Petition is accordingly dismissed as infructuous without prejudice to the right of the detenu to pursue W.P.No. 41043 of 2017 already filed by him.

5. As a sequel to dismissal of the Writ Petition, W.P.M.P.No. 38669 of 2017 shall stand dismissed as infructuous.



C.V.NAGARJUNA REDDY, J.

GUDISEVA SHYAM PRASAD, J.

Date: 07-02-2018.

JSK