

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

Writ Petition No.28617 of 2017

DATED:14-02-2018

Between:

Zarina ... Petitioner

And

The State of Telangna
Represented by its Principal Secretary
(Political)
Department of Law and Order
Secretariat Buildings, Hyderabad
and others ... Respondents

COUNSEL FOR THE PETITIONER: Mr. Challa Srinivasa Reddy

COUNSEL FOR THE RESPONDENTS: G.P. for Home (TS)

THE COURT MADE THE FOLLOWING:

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

This writ petition is filed for issue of habeas corpus directing the respondents to set Sampangi Mahesh (“the alleged detenu”) at liberty after setting aside G.O. Rt. No.1519, dt.13.07.2017, whereby it has confirmed the order in Proceedings No.19/PD/CCRB/RKD/2017, dt.07.07.2017, of respondent No.2.

2. We have heard the learned counsel for the parties and perused the record. The alleged detenu is an accused in as many as nine criminal cases, out of which seven offences were registered under Sections 457 and 380 IPC (property offences), one under Section 379 IPC and another under Sections 454 and 380 IPC, in Jawahar Nagar Police Station of Rachakonda Commissionerate. Respondent No.2 in exercise of powers under sub-section (2) of Section 3 of the Telangana Prevention of Dangerous Activities of Boot Leggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (for short, “the Act”) passed the detention order on 07.07.2017 and the same was approved by respondent No.1 on 13.7.2017. The representation made to the Advisory Board having been rejected, this writ petition is filed by the wife of the detenu.

3. At the hearing Mr. Challa Srinivasa Reddy, learned counsel for the petitioner, submitted that the grounds of detention and the supporting material were supplied to the detenu in English and Telugu, and not in Hindi, the only language known to him and that therefore, the detention order is liable to be aside.

4. In the counter affidavit filed by respondent No.2 he has denied the plea that the detenu does not know Telugu. He has stated that the detenu was supplied with the detention order and the grounds of detention along with the documents both in English and Telugu, the language known to him, on 08.07.2017 and that he acknowledged the same by signing on each page in Telugu in the presence of the jail authorities and under attestation of the Jailer. In support of this averment, respondent No.2 has filed a spiral booklet, a perusal of which shows that on every page of the material supplied to the detenu he has signed in Telugu. Though the wife of the detenu has raised a ground that her husband knows only Hindi, she has not pleaded that either he is not a native of one of the two Telugu speaking States or that he has migrated from any other State. Not only that, the surname of the detenu "Sampangi" denotes that he is a Telugu man as stated by respondent No.2

he has even signed in 'Telugu evidencing receipt of the material. If Hindi was the only language known to him, it defies any reason or logic for him to sign in 'Telugu. In the light of the above facts, this plea raised by the petitioner in his affidavit and advanced by the learned counsel for the petitioner is devoid of any merit. No other point has been argued by the learned counsel for the petitioner.

5. For the aforementioned reasons, we do not find any merit in this writ petition and the same is accordingly dismissed.

C.V. NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

14-2-2018

bnr