

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

WRIT PETITION No.19336 of 2018

Date: 25-07-2018

Between :

Ramavath Ramesh

... Petitioner

And

The State of Telangana,
rep. by its Principal Secretary,
General Administration
(Special Law & Order) Department,
Secretariat, Hyderabad and others.

... Respondents

Counsel for petitioner : Sri P. Prabhakar Reddy

Counsel for respondents : Government Pleader for Home (TS)

THE COURT MADE THE FOLLOWING:

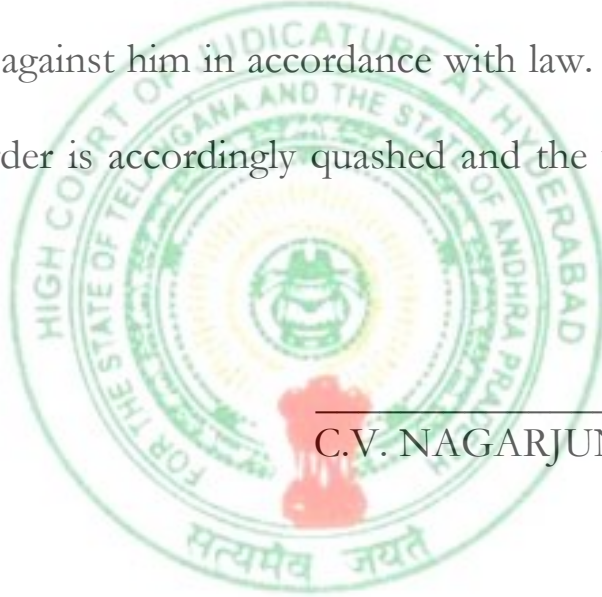
ORDER: (*per* Hon'ble Sri Justice C.V. Nagarjuna Reddy)

This writ petition is filed for issue of Habeas Corpus directing the respondents to produce Mr. Ramavath Saida, the father of the petitioner (hereinafter referred to as “the detenu”), before the Court and release him after declaring the order of detention vide proceedings No.C1/511/2018, dated 27.02.2018, issued by respondent No.2, and confirmed vide G.O.Rt.No.794, dated 30.04.2018, issued by respondent No.1, as illegal and unconstitutional.

We have heard Sri P. Prabhakar Reddy, learned counsel for the petitioner and the learned Government Pleader for Home (TS).

At the hearing, it has been submitted by the learned counsel for both the parties that in cases where detention orders are passed against the persons, who are found in possession and/or sale of illicitly distilled liquor, this Court has been consistently passing orders to the effect that the detenu shall leave the jurisdiction of the native District or the Police Commissionerate in which he is living, as the case may be, with a direction not to re-enter till expiry of the residuary period of detention. In the light of the above submission, the detenu

shall be released forthwith from the detention subject to his giving a written undertaking addressed to respondent No.2 to the effect that he shall leave the Suryapet District and live outside the said area till the detention period is over, and handing over the same to the Superintendent, Central Prison, Warangal, in which he is presently detained. It is, however, made clear that if the detenu repeats his conduct of committing offences in future, the respondents shall be free to initiate a fresh action against him in accordance with law. The impugned detention order is accordingly quashed and the writ petition is allowed.



C.V. NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

Dt.25-07-2018

AM