

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

Writ Petition No.27271 of 2017

DATED:14-02-2018

Between:

Aruna bai ... Petitioner

And

The State of Telangana
Rep. by its Principal Secretary to
Government (POLL)
General Administration [Spl. (Law & Order)]
Department
Secretariat
Hyderabad
and others ... Respondents

COUNSEL FOR THE PETITIONER: Mr. Ananth
Nageswara Rao, for
Mr. N. Indrasena 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 by the petitioner who is sister of one Raja Singh, S/o. Amar Singh (for short, "the detenu") assailing the validity of proceedings No.C2/PDAC/1/2017, dt.02.03.2017, of respondent No.2.

At the hearing, the only ground urged by Mr. Anantha Nageswara Rao, representing Mr. N. Indrasena Reddy, learned counsel for the petitioner, is that some of the material, such as F.I.R., bail orders, were not supplied to the detenu in the language known to him, namely, Hindi. The learned counsel for the petitioner has fairly submitted that neither in the representation made to the Advisory Board nor in the present writ petition, this ground has been urged.

The learned Government Pleader for Home (TS) submitted that the very fact that the petitioner has not expressed any grievance on the above ground itself shows that it is a pure afterthought and that no prejudice was caused to the detenu.

Undoubtedly, the material supplied to the detenu must be in the language known to him. Unless a specific plea is raised that the detenu cannot understand English, the Court cannot presume that the part of the material supplied in English could

not have been understood by the detenu. Had it been so, he would not have failed to raise this ground before the Advisory Board or at least in the present writ petition. The learned Government Pleader for Home pointed out that the detenu has signed the papers in English which is not disputed by the learned counsel for the petitioner. As the requirement of supply of the material in the language known to the detenu is prescribed to enable him to make an effective representation and such a representation being already made without any grievance, we are of the opinion that no prejudice is caused to the detenu on account of some of the material not being supplied in Hindi, more so, when it is not specifically pleaded in the affidavit that the detenu cannot understand English.

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

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