

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.2354/2018

Sivagami

.. Petitioner/Wife
of the Detenue

vs.

1.State of Tamil Nadu
rep.by the Secretary,
Home, Prohibition and Excise Department
Fort St George, Chennai 600 009.

2.The Commissioner of Police
The Greater Chennai City,
Vepery, Chennai-600 007.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus calling for the records relating to the detention order in Memo No.745/BCDFGISSSV/2018 dated 22.08.2018, passed by the 2nd respondent under the Tamil Nadu Act 14 of 1982 and set aside the same and direct the respondents to produce the petitioner's husband Kamal @ Thamba, S/o.Annamalai, aged about 29 years the detenu now confined in Central Prison, Puzhal, Chennai, before this Court and set the petitioner's husband Kamal @ Thamba, S/o.Annamalai, aged about 29 years, the detenu herein at liberty.

For Petitioner .. Mr.T.V.Somasundaram

For Respondents.. Mr.C.Iyyappa Raj, APP

ORDER

(Order of the Court was made by M.SATHYANARAYANAN, J)

Petitioner, wife of the detenu herein, viz.,Kamal @ Thamba, aged about 29 years, has come forward with this petition challenging the detention order passed by the second respondent dated 22.08.2018 against her husband branding him as a

"Goonda" under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Forest Offenders, Goondas, Immoral Traffic Offenders, Sand Offenders, Slum Grabbers and Video Pirates Act, 1982 [Tamil Nadu Act 14 of 1982].

2.The learned Additional Public Prosecutor would submit that the order of detention passed by the second respondent as against the husband of the petitioner herein dated 22.08.2018, has been revoked by the Government in G.O.Rt.No.4449, Home, Prohibition & Excise [XIII] Department dated 10.10.2018 and he has also produced a copy of the said order.

3.Recording the submission of the learned Additional Public Prosecutor, this petition is closed as the same has become infructuous.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

AP

To

- 1.The Secretary to Government, State of Tamil Nadu
Home, Prohibition and Excise Department
Fort St George, Chennai 600 009.
- 2.The Commissioner of Police
The Greater Chennai City,
Vepery, Chennai-600 007.
- 3.The Public Prosecutor,
Madras High Court, Madras.
- 4.The Superintendent
Central Prison, Puzhal, Chennai.
5. The Director of General of police,
Tamil Nadu, Chennai-4

H.C.P.No.2354/2018

VBA (CO)
GMY (28/02/2019)