



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.03.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.(MD)No.7515 of 2019

and

W.M.P.(MD)No.6002 of 2019

G.Mayakanna

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
Home, (Prohibition and Excise Department)
Secretariate, Chennai-9.
2. The District Collector,
O/o.Collectorate Buldings,
Dindigul District.
3. The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul District.
4. The Inspector of Police,
O/o Ayakudi Police Station,
Palani Taluk,
Dindigul District.
5. The Sub-Collector cum Sub Divisional Executive Magistrate,
O/o District Collectorate, Palani Taluk,
Dindigul District, Dindigul. ... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings in Proceedings No.M.C.No.106/2019/A7 dated 20.02.2019 on the file of the respondent No.5 and quash the same as illegal and consequently forbearing the respondents No.1 and 2 from detaining the petitioner under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers Act, 1982 without considering petitioner's representation dated 02.03.2019.

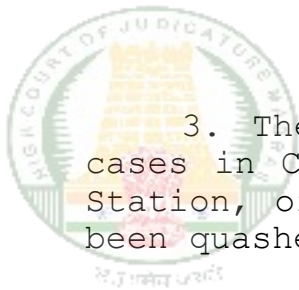
For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mrs.S.Bharathi
Government Advocate

ORDER

The present petition has been filed to quash the Proceedings No.M.C.No.106/2019/A7 dated 20.02.2019.

<https://hcservices.ecourts.gov.in/hcservices/>

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.



3. The petitioner was originally arrayed as accused in three cases in Crime Nos.245/15, 30/2017 and 31 of 2017 of Aykudi Police Station, of which the case in Crime No.30 of 2017 is stated to have been quashed by this Court.

4. In such circumstances, the petitioner was served with summons by the Executive Magistrate to show cause initiated under Section 110 Cr.P.C.. The said summons is now been challenged.

5. Inasmuch as only summon has been issued to show cause, the petitioner is well advised to offer reply to the summons and present his case before the Executive Magistrate. For the present the petition is premature and hence, this Criminal Original Petition is dismissed. However, the petitioner will be at liberty to challenge the final order to be passed, provided there are grounds to challenge the same available to him. No costs. Consequently connected miscellaneous petition is closed.

sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
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 5. The Sub-Collector cum Sub Divisional Executive Magistrate,
O/o District Collectorate, Palani Taluk,
Dindigul District, Dindigul.
- +1 CC to Mr.T.LAJAPATHI ROY, Advocate (SR-58013[F] dated 01/04/2019)

Order made in
W.P. (MD) No.7515 of 2019
29.03.2019