

**HON'BLE THE ACTING CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND
HON'BLE SRI JUSTICE A. RAJASHEKER REDDY**

WRIT PETITION No. 7842 of 2019

ORDER: *(per the Hon'ble the Acting Chief Justice Raghvendra Singh Chauhan)*

Mr. Gangula Narahari, the petitioner-in-person, has filed the present habeas corpus petition ostensibly on the ground that his former father-in-law, Mr. Boddu Gangadhar, Son of Mr. Gangaram, is being illegally detained by the respondent Nos.5 to 7.

By order dated 15.04.2019, this Court had directed the Assistant Government Pleader to produce the detenu, Mr. Boddu Gangadhar, before this Court. However, on 18.04.2019, the Government Pleader informed this Court that according to the police, Mr. Gangadhar has already expired at the Gandhi Hospital, New Bhoiguda, Secunderabad.

According to the petitioner-in-person, the report with regard to the death of Mr. Gangadhar could not be a genuine one. For, the pension payments and a statement of the year 2018-19 show that the said person was still alive, although it is a claim that Mr. Gangadhar had expired on 23.03.2017. Under these circumstances, this Court by order dated 18.04.2019 had directed the respondent No.1 to produce the relevant record from the

Gandhi Hospital which would clearly establish that in fact, Mr. Gangadhar has expired on 23.03.2017.

Consequently, the learned Government Pleader has submitted the record of the said Hospital along with a letter written by the Civil Surgeon Administrator, Gandhi Hospital, Secunderabad, to the Station House Officer, Town-IV Police Station, Nizamabad. According to the said letter, Mr. Gangadhar was admitted in the hospital on 19.03.2017, and expired in the hospital on 23.03.2017. The relevant medical records have also been submitted for the perusal of this Court. The letter and the medical record shall be taken on record.

Thus, it is obvious that Mr. Gangadhar is no longer alive. Therefore, the very question of his illegal detention no longer survives.

Despite the fact that this Court has pointed out to the petitioner-in-person that his former father-in-law has expired, the petitioner-in-person has raised certain legal issues with regard to the payment of the pension to another person, by name, Mr. Gangadhar which is a fraud being played on the State exchequer. However, these issues cannot be answered by this Court within the habeas corpus jurisdiction. Therefore, the

petitioner-in-person is at liberty to raise all these issues before the proper forum.

For the reasons stated above, this habeas corpus petition no longer survives; and it is, hereby, dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. There shall be no order as to costs.

RAGHVENDRA SINGH CHAUHAN, ACJ

Date: 26.04.2019

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A. RAJASHEKER REDDY, J

