



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

H.C.P.NO.910 OF 2020

S.R.Ganesan

... Petitioner

Vs

1. The State rep., by its,
Principal Secretary to Government,
Food and Consumer Protection Department,
2nd Floor, Namakkal Kavignar Malligai,
Secretariat, Chennai - 600 009.
2. The Secretary to Government,
Ministry of Consumer Affairs,
Food and Public Distribution (Department
of Consumer Affairs),
Room No-270, Krishi Bhavan,
New Delhi - 110 001.
3. The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Vellore District - 9.
4. The Superintendent of Prison,
Central Prison,
Vellore - 632 002.

... Respondents

PRAYER :

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, calling for the records in Detention Order in C3.D.O.No.21 of 2020 dated 20.02.2020 on the file of the 3rd Respondent herein and set aside the same direct the Respondents herein to produce the body of the my husband namely the detenu Thiru Raman @ Ramachandran aged 49 years Son of Mani the detenu herein before the Hon'ble Court, now confined in Central Prison at Vellore (4th Respondent herein) and set him at liberty.



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For Petitioner : Mr.M.Mohamed Saifulla

For Respondents: Mr.R.Prathap Kumar,
Additional Public Prosecutor.

O R D E R

(Order of the court was made by N.KIRUBAKARAN.J.,)

The matter was heard through "Video Conferencing".

2.The Petitioner is the friend of the detenu and has filed this petition challenging the detention order passed against the detenu in C3.D.O.No.21 of 2020 dated 20.02.2020 by the third respondent, branding him as 'Black Marketer'.

3.Heard Mr.M.Mohamed Saifulla, learned Counsel appearing for the Petitioner and Mr.R.Prathap Kumar, learned Additional Public Prosecutor appearing for the Respondents.

4.As it is seen from the records that illegible copy of the quality certificate has been served upon the detenu, the detention order is vitiated and this petition has to be necessarily allowed. Accordingly, the detention order passed by the third respondent in C3.D.O.No.21 of 2020 dated 20.02.2020 is quashed and the Habeas Corpus Petition is allowed.

5.The detenu viz., Thiru Raman @ Ramachandran aged 49 years Son of Mani, who is detained at Central Prison at Vellore is directed to be set at liberty forthwith unless his presence is required in connection with any other case. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(MD)

//True Copy//

Sub Assistant Registrar

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To

1. The State rep., by its,
Principal Secretary to Government,
Food and Consumer Protection Department,
2nd Floor, Namakkal Kavignar Malligai,
Secretariat, Chennai - 600 009.



2. The Secretary to Government,
Ministry of Consumer Affairs,
Food and Public Distribution (Department
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Room No-270, Krishi Bhavan,
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3. The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Vellore District - 9.

4. The Superintendent of Prison,
Central Prison,
Vellore - 632 002.

5. The Additional Public Prosecutor,
High Court of Madras,
Chennai.

H.C.P.No.910 of 2020

VSNI (CO)
CS/13/07/2020