



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2020

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI**

H.C.P. (MD) No.946 of 2020

Aathiyappa

... Petitioner

-VS-

1.State of Tamil Nadu

Rep. by the Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort. St. George,
Chennai - 600 009.

2.The District Collector and District Magistrate,
Tirunelveli District,
Tirunelveli.

3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus calling for the entire records connected with the detention order in M.H.S.Confdl No.79/2020 dated 13.10.2020 on the file of the 2nd respondent herein and quash the same and direct the respondents to produce the detenu or body of the detenu namely, Aathiyappa, aged about 27 years, son of Lakshmanan, now detained at the Central Prison, Palayamkottai before this Court and set him at liberty forthwith.

For Petitioner: Mr.N.Pragalathan

For Respondents: Mr.K.Dinesh Babu
Additional Public Prosecutor



O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

The petitioner has filed the habeas corpus petition seeking to quash the proceedings of the second respondent in M.H.S.Confdl No.79/2020 dated 13.10.2020, branding him as a "Sand Offender" as contemplated under Section 2(gg) of Tamil Nadu Act, 14 of 1982, detained him at the Central Prison, Palayamkottai and to set him at liberty.

2. Today, when the matter is taken up for hearing, the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the respondents, by producing a copy of G.O.Rt.No.5183, Home, Prohibition & Excise (XIV) Department, dated 27.11.2020, would state that the impugned detention order has been revoked.

3. Recording the above submissions, the habeas corpus petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

skn

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To:

1.The Principal Secretary to Government,
Home, Prohibition and Excise Department,
Fort. St. George,
Chennai - 600 009.



2.The District Collector and District Magistrate,
Tirunelveli District,
Tirunelveli.

3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli.

4.The Joint Secretary to Government,
Public (Law & Order),
Fort Saint George, Chennai-9.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.946 of 2020

17.12.2020

SGS (CO)

NR (30/12/2020) 3P : 6C