



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.1388 of 2021

M.Subbaiah @ Chinna Subbaiah ... Petitioner/
Father of the Detenue

Vs.

1.The State of Tamil Nadu,
Rep. by the Additional Chief 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, to call for the entire records connected with the Detention Order passed in M.H.S.Confdl.No.131/2021 dated 31.08.2021 on the file of the second respondent herein and quash the same and direct the respondents to produce the detenu or body of the detenu namely, the petitioner's son i.e., Arumugam, S/o.M.Subbaiah @ Chinna Subbaiah, aged about 23 years, now detained at the Central Prison, Palayamkottai, before this Court and set him at liberty forthwith.

For Petitioner : Mr.N.Pragalathan
For Respondents : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor.

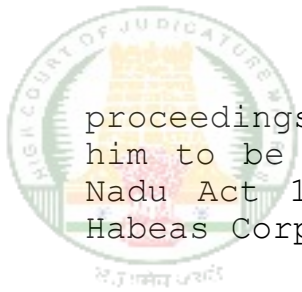
O R D E R

R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner is the father of the detenu, namely, Arumugam, S/o.M.Subbaiah @ Chinna Subbaiah, aged about 23 years. The detenu has been detained by the second respondent by his



proceedings in M.H.S. Confdl.No.131/2021 dated 31.08.2021 holding him to be a "Goonda", as contemplated under Section 2(f) of Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.

2. The learned Additional Public Prosecutor appearing for the respondent, by producing a copy of G.O.Rt.No.5768, Home, Prohibition & Excise (XIV) Department, dated 26.11.2021, would state that the impugned detention order has been revoked and hence, the prayer sought for in this Habeas Corpus Petition has become infructuous.

3. Recording the same, this Habeas Corpus Petition is dismissed as having become infructuous.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Additional Chief Secretary to Government,
State of Tamil Nadu,
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
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD)No.1388 of 2021
18.03.2022

nsn(CO)

TR(31.03.2022) 2P 6C