



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.1665 of 2021

WEB COPY

Suba

... Petitioner / Wife of the Detenu

-Vs-

- 1.State of Tamil Nadu,
Rep. by Secretary to Government,
Prohibition and Excise Department,
Fort St.George, Chennai.
- 2.The District Magistrate and District Collector,
Kanyakumari District, At Nagercoil.
- 3.The Superintendent,
Central Prison, Palayamkottai,
Tirunelveli District. ... 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 passed in P.D.No.38 of 2021, dated 08.10.2021 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, Maria David Raj @ David, S/o.Thangaraj, aged about 42 years, who is now detained at Central Prison, Palayamkottai, before this Court and set him at liberty forthwith.

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.S.Ravi,
Additional Public Prosecutor.

ORDER

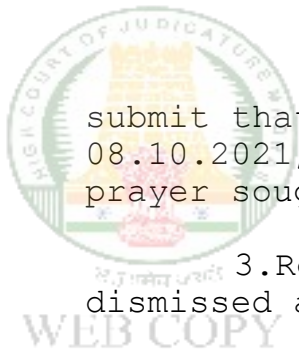
R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner is the wife of the detenu, namely, Maria David Raj @ David, S/o.Thangaraj, aged about 42 years. The detenu has been detained by the second respondent by his proceedings in P.D.No.38 of 2021, dated 08.10.2021, 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 respondents, by producing a copy of G.O.Rt.No.5763, Home, Prohibition & Excise (XIV) Department, dated 26.11.2021, would



submit that the impugned detention order in P.D.No.38 of 2021, dated 08.10.2021, has been revoked by the Advisory Board. Hence, the prayer sought for herein has become infructuous.

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

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Myr

To

1.The Secretary to Government of Tamil Nadu,
Prohibition and Excise Department,
Fort St.George, Chennai.

2.The District Magistrate and District Collector,
Kanyakumari District, At Nagercoil.

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

4.The Joint Secretary to Government,
Public(Law & Order),
Fort St. George,
Chennai - 600 009.

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

+1 CC to M/s.S.C. HEROLD SINGH, Advocate (SR-21645[F] dated 27/04/2022)

H.C.P. (MD)No.1665 of 2021
26.04.2022

MGJ(10.05.2022) 2P 7C