



H.C.P.No.397 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.397 of 2023

S.Banumathi

.. Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by The Secretary to Government,
Home, Prohibition & Excise Department
Secretariat, Chennai-600 009.
- 2.The District Magistrate and District Collector,
Master Plan Complex, Collector's Office,
Tiruvallur District, Tiruvallur – 602 001.
- 3.The Superintendent of Police,
District Police Office,
Tiruttani Main Road,
Tiruvallur District, Tiruvallur – 602 001.
- 4.The Superintendent of Prison,
Central Prison-II, Puzhal,
Chennai – 600 066.
- 5.The Inspector of Police,

Page Nos.1/6



H.C.P.No.397 of 2023

Manavalanagar Police Station,
Tiruvallur District – 602 002.

.. Respondents

WEB COPY

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus calling for the records in relating with the detention order passed by the second respondent herein dated 10.02.2023 bearing B.C.D.F.G.I.S.S.S.V.No.04/2023, T.P.D.A.No.4110 against the petitioner's son named Mr.Venkatesan @ Sonatika S/o.Shanmugam, Mage aged about 25 years detained as Goonda at Central Prison-II, Puzhal, Chennai-600 066 and set aside the same and direct the respondents to produce the detenu before this Court and set the detenu at liberty.

For Petitioner	:	Mr.S.R.Karthikeyan
For Respondents	:	Mr.R.Muniyapparaj Additional Public Prosecutor

ORDER

[Order of the Court was made by M.SUNDAR, J.,]

When the matter was taken up, Mr.S.R.Karthikeyan, learned counsel on record for petitioner submitted that the impugned detention order has been revoked and sought leave of this Court to withdraw the captioned Habeas Corpus Petition. Learned counsel also placed before us proceedings of the Government dated 10.03.2023 vide G.O.Rt.No.1417 Home,



H.C.P.No.397 of 2023

WEB COPY

Prohibition and Excise (XI) Department and a scanned reproduction of the same is as follows:



ABSTRACT

Preventive Detention - Tiruvallur District - Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber Law Offenders, Drug-offenders, Forest-offenders, Goondas, Immoral Traffic offenders, Sand Offenders, Sexual-offenders, Slum-grabbers and Video Pirates Act, 1962 - Detention of Thiru. Venkatesan @ Sonatka, S/o. Thiru. Shanmugam - Goonda - Order of detention - Revoked - Orders issued.

HOME, PROHIBITION AND EXCISE (XI) DEPARTMENT

G.O.Rt. No.1417 Dated: 10/03/2023
சபகிருது, மார்ச் 26
திருவள்ளூர் - ஆணை 2054

Read:

- 1) From the District Magistrate and District Collector, Tiruvallur District Detention Order B.C.D.F.G.I.S.S.V.No.04/2023, dated: 10/02/2023.
- 2) G.O.Rt.No.993, Home, Prohibition and Excise (XI) Department, dated 21/02/2023.
- 3) From the Advisory Board Letter No. 2/B.L.etc.Act/2023-27, dated 09/03/2023 (along with Report dated 08/03/2023.)

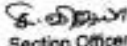
ORDER:

The grounds of detention etc., of the detenu, Thiru. Venkatesan @ Sonatka, male, aged 25 years, S/o. Thiru. Shanmugam, residing at No.1, Adhiyaman Street, 1st MGR Nagar, Kabilar Nagar, Manavalanagar, Tiruvallur District - were placed before the Advisory Board under section 10 of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Cyber Law Offenders, Drug-offenders, Forest-offenders, Goondas, Immoral Traffic offenders, Sand Offenders, Sexual-offenders, Slum-grabbers and Video Pirates Act, 1962 (Tamil Nadu Act 14 of 1962). The Advisory Board perused the grounds of detention, report of the detaining authority sent to the Government, the connected records and also heard the oral representations of the detenu and his mother Mrs. Banumathi. The Advisory Board has expressed its unanimous opinion that there is no sufficient cause for the detention of Thiru. Venkatesan @ Sonatka. Accordingly, the Government, in accordance with the provisions of subsection (2) of section 12 of Tamil Nadu Act 14 of 1962, hereby revokes the order of detention, dated 10/02/2023 made by the District Magistrate and District Collector, Tiruvallur District against the said Thiru. Venkatesan @ Sonatka and directs that Thiru. Venkatesan @ Sonatka, male, aged 25 years, S/o. Thiru. Shanmugam, residing at No.1, Adhiyaman Street, 1st MGR Nagar, Kabilar Nagar, Manavalanagar, Tiruvallur District be released forthwith from detention as there is no sufficient cause unless he has been detained under any other law or is serving any sentence having been convicted by any Court.

S. Narayani
Deputy Secretary to Government

To
The District Magistrate and District Collector, Tiruvallur District (2 Copies)
Thiru. Venkatesan @ Sonatka, S/o. Thiru. Shanmugam the detenu through
The Superintendent, Central Prison-II, Puzhal, Chennai-66.
(2 Copies for service and return of one copy)
Copy to:-
The Chairman, Advisory Board,
Singaravelar Maligai, Chennai - 600 001.(3 Copies).
The Director-General of Police, Chennai-4.
The Inspector General of Prisons, Chennai-8.
The Superintendent, Central Prison-II, Puzhal, Chennai-66.

//Forwarded/By Order//


Section Officer



H.C.P.No.397 of 2023

2.Learned counsel for petitioner has made an endorsement in the case

file and a scanned reproduction of the same is as follows:

As the detention Order dt 10/2/2023
was removed by the court on 10/3/23
I may kindly be permitted to
withdraw this Petition.
S.R. [Signature]
16/3/23
Counsel for Petitioner

3.The aforementioned endorsement is reiterated in the hearing.

4.In the light of the narrative thus far, captioned Habeas Corpus
Petition is disposed of as withdrawn/closed. There shall be no order as to
costs.

(M.S.,J.)

(M.N.K.,J.)

16.03.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

cse

Page Nos.4/6



H.C.P.No.397 of 2023

To
WEB COPY

- 1.The Secretary to Government,
Home, Prohibition & Excise Department
Secretariat, Chennai-600 009.
- 2.The District Magistrate and District Collector,
Master Plan Complex, Collector's Office,
Tiruvallur District, Tiruvallur – 602 001.
- 3.The Superintendent of Police,
District Police Office,
Tiruttani Main Road,
Tiruvallur District, Tiruvallur – 602 001.
- 4.The Superintendent of Prison,
Central Prison-II, Puzhal,
Chennai – 600 066.
- 5.The Inspector of Police,
Manavalanagar Police Station,
Tiruvallur District – 602 002.
- 6.The Public Prosecutor
High Court, Madras.



WEB COPY



H.C.P.No.397 of 2023

M.SUNDAR, J.,
and
M.NIRMAL KUMAR, J.,

cse

H.C.P.No.397 of 2023

16.03.2023

Page Nos.6/6