



WEB COPY

WP No.31403 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-11-2023

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

WP No.31403 of 2023

Mrs.Nirosha

... Petitioner

Vs.

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

2.The District Collector,
Office of the District Collector,
Chengalpattu.

3.The Commissioner of Police,
Office of the Commissioner of Police,
Tambaram.

4.The Inspector of Police,
Kanathur Police Station,
Chengalpattu District.

... Respondents



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Prayer: Writ Petition has filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondents 3 and 4 from passing an order of Preventive Detention against petitioner's husband Amar Prasad, Son of Aditya Kumar aged about 37 years from detaining him under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Goondas, Immortal Traffic Offenders and Slum Grabber Act, 1982 (Act 14 of 1982).

For Petitioner	: Mr.D.Alexis Sudhakar
For Respondents	: Mr.Hasan Mohamed Jinnah, State Public Prosecutor Assisted by Mr.R.Muniyapparaj, Additional Public Prosecutor.

ORDER

The petitioner herein, apprehending that her husband may be detained under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Goondas, Immoral Traffic Offenders, Forest Offenders, Sand Offenders, Slum-Grabbers and Video Pirates Act, 1982 (Act 14 of 1982), popularly known as the Goondas Act, has come before this Court to pre-empt the attempt of the respondent-police from invoking the provisions of the Act 14 of 1982.



2. The learned Public Prosecutor submits that the attempt of the petitioner to prevent the respondent-police from invoking the Detention Order is premature and even before pre-conceptual stage. He further adds that the respondent-police of now have no proposal to invoke Act 14 of 1982 against the husband of the petitioner.

3. This Court, recording the abovesaid submissions made by the learned Public Prosecutor, dismiss the present Writ Petition as premature. However, there shall be no order as to costs.

08-11-2023

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

Svn

To

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



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DR.G.JAYACHANDRAN, J.

Svn

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