



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2023

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P. (MD) No.22 of 2023

T.Chithra ... Petitioner / Mother of the Detenu

Vs.

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600009.
 - 2.The District Collector and District Magistrate,
Thoothukudi Collector Office, Thoothukudi District.
 - 3.The Additional 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 of the 2nd respondent in H.S.(M)Confdl.No.118/2022, dated 23.06.2022 and quash the same as illegal and direct the respondents to produce the body or person of the petitioner's son, namely, Thangaraj, S/o.Thangasamy, male aged about 25 years, who is detained in Central Prison, Palayamkottai before this Court and set him at liberty.

For Petitioner : Mr.NA.Manimaran
For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by **R.SURESH KUMAR, J.**)
The detention order passed by the 2nd respondent dated 23.06.2022 is under challenge in this Habeas Corpus Petition. Under the said order, the detenu has been declared as Drug Offender.



2.The learned counsel for the petitioner has submit at there has been a delay in considering the representation.

3.However, the learned Additional Public Prosecutor for the respondents has produced proforma before this Court, where it has been stated that the representation dated 16.09.2022 was received on 29.09.2022; file was submitted by ASO / SO concerned on 22.09.2022; on the same date itself, it was dealt with by Under Secretary and Deputy Secretary, then, the Minister dealt with the same on 24.09.2022; rejection order was passed on 26.09.2022 and the rejection letter served on the detenu on 29.09.2022.

4.On seeing these dates, we find no delay on the part of the respondents in considering the representation. Therefore, the said ground raised by the petitioner cannot be countenanced.

5.The learned counsel for the petitioner except the said ground has not raised any other grounds worthy to be considered for having successful assailment of the order impugned. In view of the same, we do not find any merit in this Habeas Corpus Petition and the impugned order has to be sustained, hence, it is sustained. Accordingly, this Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar()

// True Copy //

/07/2023

Sub Assistant Registrar(CS)

MYR

To

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai-600009.
- 2.The District Collector and District Magistrate,
Thoothukudi Collector Office, Thoothukudi District.
- 3.The Additional Superintendent,
Central Prison, Palayamkottai,
Tirunelveli District.
- 4 THE JOINT SECRETARY TO GOVERNMENT,
PUBLIC (LAW & ORDER), FORT ST.GEORGE, CHENNAI - 9
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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