



H.C.P(MD)No.752 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.10.2023

Coram

THE HON'BLE MR.JUSTICE **M.SUNDAR**  
and  
THE HON'BLE MR. JUSTICE **R.SAKTHIVEL**

**H.C.P(MD)No.752 of 2023**

M.Nirmala

.. Petitioner

VS

1.The State of Tamil Nadu,  
Represented by the Secretary to Government,  
Home, Prohibition and Excise Department,  
Fort St. George, Chennai – 600 009.

2.The District Collector and District Magistrate,  
Kanniyakumari District,  
Nagercoil.

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

.. Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus calling for the entire records connected with the detention order passed in P.D.No.29 of 2023 dated 19.05.2023 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 husband i.e., Mahendra Kumar, aged



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about 49 years, Son of Palaiyan, 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

### **ORDER**

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

This order will now dispose of the captioned 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of brevity].

2.Mr.N.Pragalathan, learned counsel on record for petitioner and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor are before us.

3.Learned counsel on both sides submit that the impugned preventive detention order has since been revoked (Advisory Board) vide proceedings dated 23.06.2023 bearing reference G.O.Rt.No.3378, Home, Prohibition and Excise (XIV) Department.



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4.In the light of the aforementioned undisputed position, common submission is made that nothing survives in the captioned Habeas Corpus Petition.

5.Recording the aforementioned common submission, captioned HCP is disposed of as closed. There shall be no order as to costs.

**(M.S.,J.) (R.S.V.,J.)**  
16.10.2023

Index : Yes/No  
Neutral Citation : Yes/No  
ps



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- To
- 1.The Secretary to Government,  
Home, Prohibition and Excise Department,  
Fort St. George, Chennai – 600 009.
  - 2.The District Collector and District Magistrate,  
Kanniyakumari District,  
Nagercoil.
  - 3.The Superintendent of Prison,  
Central Prison, Palayamkottai,  
Tirunelveli.
  - 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**M.SUNDAR, J.,**  
**and**  
**R.SAKTHIVEL, J.,**

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