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HCP No. 1099 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-10-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE S. SOUNTHAR**

H.C.P No. 1099 of 2025

1. Litvin

W/o.Prabakaran, No.5, Helina Lane,
Periya Kadai Theru,
Thoothukudi-628 001.

Petitioner(s)

Vs

1. The State Rep by its,
The Deputy Superintendent of Police,
Q Branch, CID, Kamarajar Road, Chennai-600 004.

2.The Superintendent,
Puzhal-I, Central Prison, Chennai-600 066.

Respondent(s)

PRAYER

The Habeas Corpus Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Habeas Corpus directing the respondents to release the detenu, Sivakaran, S/o.Sivanyanasundaram, aged about 50 years, bearing PID No.693082, now detained at Central Prison, Puzhal-I, Chennai.



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For Petitioner(s): Mr. S.Manoharan

For Respondent(s): Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The present Habeas Corpus Petition has been filed directing the respondents to release the detenu, Sivakaran, S/o.Sivanyanasundaram, aged about 50 years, bearing PID No.693082, now detained at Central Prison, Puzhal-I, Chennai.

2. When the matter is taken up for hearing today, the learned Additional Public Prosecutor has produced a Government Order in G.O.(1D) No.555, Public (Foreigners – II) Department, dated 03.10.2025, wherein, it has been stated as follows:-

“In exercise of the powers conferred under clause (c) of Sub-section (2) of Section 7 of the Immigration and Foreigners Act, 2025 (Central Act 13 of 2025) read with Notification of Government of India in the Ministry of Home Affairs in S.O.3998(E), dated 1st September 2025 and the instructions of the Government of India, Ministry of Home Affairs, New Delhi, in letter No.25022/03/2025-F.I (part), dated 03.09.2025, the Government of Tamil Nadu hereby direct that Mr.Sivagnanasundaram Sivakaran (Temporary Travel Document No.25IND6612), Sri Lankan National, should not remain in India and be deported from India immediately.



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2. The Government direct the District Collector, Tiruchirapalli District and the Commissioner of Police, Tiruchirappalli City, to make necessary arrangements for the deportation of the Sri Lankan National Mr.Sivagnanasundaram Sivakaran, with immediate effect, subject to the condition that nothing adverse / no local objection / no court case is pending against him.

3. The Government also directs the Commissioner of Police, Tiruchirappalli City to serve the Government Order to the said foreigner and execute the deportation order and send a compliance report to the Government.”

3. The Government has already passed the above order in G.O.(1D) No.555, Public (Foreigners - II) Department, dated 03.10.2025, for the deportation of the detenu from India. If the petitioner has got any grievance as against the said Government Order, he has to proceed in the manner known to law. Accordingly, this Habeas Corpus Petition is dismissed.

(J.NISHA BANU J.) (S.SOUNTHAR J.)

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To
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1. The Deputy Superintendent of Police,
Q Branch, CID, Kamarajar Road,
Chennai-600 004.

2. The Superintendent,
Puzhal-I, Central Prison,
Chennai-600 066.

3. The Public Prosecutor,
High Court of Madras, Chennai.



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J.NISHA BANU, J.
AND
S.SOUNTHAR, J.

ASI

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