



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 27-10-2025**

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**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR  
AND  
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**H.C.P No. 1454 of 2025**

1. Ramya

W/o.Ananth, Ramasamy Anjalai Nagar,  
Lakshminarayanapuram, Panruti Taluk,  
Cuddalore District - 607 106.

Petitioner(s)

Vs

1. The Principal Secretary to  
Government  
C-Operation, Food and Consumer  
Protection Depattment,  
Chennai- 600009.

2.The Secretary to Government,  
Ministry of Consumer affairs, Food and  
Public Distribution, (Department of  
Consumer Affairs) Room No.270,  
Krishi Bhawan, New Delhi - 110011.

3.The District Collector and District  
Magistrate,  
Cuddalore District, Cuddalore.



4.The Superintendent of Police,  
Civil Supplies C.I.D. Chennai - 35.

5.The Superintendent ,  
Central Prison, Cuddalore.

6.The Inspector of Police,  
Civil Supplies C.I.D. Cuddalore Unit,  
Cuddalore -2.

Respondent(s)

### **PRAYER**

The Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus calling for the records pertaining to Detention Order No.C3/D.O./75/2025 on the file of the 3<sup>rd</sup> Respondent, quash the detention order dated 02.06.2025 and direct the production of the detenu Ananth son of Ramalingam (aged about 34 years) presently detained at the Central Prison, Cuddalore and set him at liberty.

For Petitioner(s): Mr. A.M.Rahamath Ali

For Respondent(s): Mr.A.Gokulakrishnan for R1, R3 to R6  
M/s. Dr.D.Simon for R2

### **ORDER**

**(Order of the Court was made by N.SATHISH KUMAR, J.)**

The petitioner herein, who is the wife of the detenu viz., Ananth S/o Ramalingam, aged about 34 years, confined at Central Prison, Cuddalore, has come forward with this petition challenging the detention order passed by the third respondent dated 02.06.2025 slapped on her husband, branding him as



"Black Marketer" under the Provisions of Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980 (Act No.7 of 1980).

2. Heard the learned counsel for the petitioner, as well as the learned Additional Public Prosecutor appearing for the respondents.

3. Though several points have been raised by the learned counsel for the petitioner, it is stated that the detention order is liable to be quashed on the ground that the Arrest Intimation Form was not properly translated into Tamil. Hence, it is submitted that the detenu was deprived of making effective representation.

4. The learned Additional Public Prosecutor would also fairly state that the Arrest Intimation Form was not properly translated into Tamil version.

5. On a perusal of the Booklet, it is seen that Page No.67 of the booklet furnished to the detenu, i.e., Arrest Intimation Form, was not properly translated into Tamil version. Therefore, the detenu is deprived from making effective representation and that the Detention Order passed by the Detaining Authority is vitiated.



6. In this context, it is useful to refer to the judgment of the Hon'ble Supreme Court in '**Powanammal Vs. State of Tamil Nadu**' reported in '**(1999) 2 SCC 413**'. The Hon'ble Supreme Court, after discussing the safeguards embodied in Article 22[5] of the Constitution, observed that the detenu should be afforded an opportunity of making representation effectively against the Detention Order and that, the failure to supply every material in the language which can be understood by the detenu, is imperative. In the said context, the Hon'ble Supreme Court has held in Paragraphs 9 and 16 {as in SCC journal} as follows:-

*“9. However, this Court has maintained a distinction between a document which has been relied upon by the detaining authority in the grounds of detention and a document which finds a mere reference in the grounds of detention. Whereas the non-supply of a copy of the document relied upon in the grounds of detention has been held to be fatal to continued detention, the detenu need not show that any prejudice is caused to him. This is because the non-supply of such a document would amount to denial of the right of being communicated the grounds and of being afforded the opportunity of making an effective representation against the order. But it would not be so where the document merely finds a reference in the order of detention or among the grounds thereof. In such a case, the detenu's complaint of non-supply of document has to be supported by prejudice caused to him in making an effective representation. What applies to a document would equally apply to furnishing a translated copy of the*



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*document in the language known to and understood by the detenu, should the document be in a different language.*

..... *16. For the above reasons, in our view, the non-supply of the Tamil version of the English document, on the facts and in the circumstances, renders her continued detention illegal. We, therefore, direct that the detenu be set free forthwith unless she is required to be detained in any other case. The appeal is accordingly allowed.”*

7. In view of the ratio laid down by the Hon'ble Supreme Court and in view of the aforesaid facts, this Court is of the view that the detention order is liable to be quashed.

8. Hence, for the aforesaid reasons, the detention order passed by the third respondent on 02.06.2025 in No.C3/D.O./75/2025 is hereby set aside and the Habeas Corpus Petition is **allowed**. The detenu viz., **Ananth S/o Ramalingam**, aged about 34 years, confined at **Central Prison, Cudalore**, is directed to be set at liberty forthwith, unless his confinement is required in connection with any other case.

**(N.SATHISH KUMAR J.) (M.JOTHIRAMAN J.)**

**27-10-2025**

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To

1. The Principal Secretary to Government  
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5. The Superintendent ,  
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6. The Inspector of Police,  
Civil Supplies C.I.D. Cuddalore Unit,  
Cuddalore -2.

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



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**N. SATHISH KUMAR, J.**  
**AND**  
**M. JOTHIRAMAN, J.**

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