



H.C.P.(MD)No.1229 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :05.02.2026

CORAM:

**THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN
AND
THE HONOURABLE MS.JUSTICE R. POORNIMA**

H.C.P.(MD)No.1229 of 2025

Veyeluthangam

... Petitioner

-VS-

1. The Additional Chief Secretary to Government,
Department of Consumer Affairs,
Room No.270, Krishi Bhavan,
New Delhi- 110 001

2. The Principal Secretary to Government
Department of Co-operation, Food and Consumer Protection,
Namakkal Kavinagar Maaligai, 2nd Floor,
Secretariat, Chennai – 600 009

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

4. The Superintendent of Prison,
Central Prison,
Palayamkottai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Habeas Corpus, calling for the entire records

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connection the detention order of the second respondent in H.S(MD) Confdl.84 of 2025 dated 31.07.2025 and quash the same as illegal and direct the respondents to produce the person or body of the detenue namely Muthumariappan,@ Chinnamari, S/o.Lukka Asariya aged about 33 years(now detained at Central Prison, Palayamkottai) before t his Court and set him at liberty.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by **G.K. ILANTHIRAIYAN,J.**)

The petitioner is the wife of the detenu viz., Muthumariappan,@ Chinnamari, S/o.Lukka Asariya aged about 33 years . The detenu has been detained by the second respondent by his order in Detention order in H.S(MD) Confdl.84 of 2025 dated 31.07.2025 holding him to be a "Black Marketer", as contemplated under the Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act,1980(Central Act 7 of 1980). The said order is under challenge in this habeas corpus petition.



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2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the records produced by the Detaining Authority.

3. The learned counsel appearing for the petitioner raised a ground that there was a huge delay in considering the representation submitted by the detene to re-consider the order of detention.

3. The representation dated 18.09.2025 was received on 24.09.2029, however it was rejected only on 20.11.2024 and hence there was a huge delay and on this sole ground alone the order of detention cannot be sustained and the same is liable to be quashed.

4 In the result, the Habeas Corpus Petition is allowed and the order of detention in H.S(MD) Confdl.84 of 2025 dated 31.07.2025, passed by the second respondent is set aside. The detenu, viz., Muthumariappan,@ Chinnamari, S/o.Lukka Asariya aged about 33 years,



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is directed to be released forthwith unless his detention is required in connection with any other case. However it is made clear that if any application filed by the detenu the trial Court is directed to consider the bail application on its own merits and in accordance without being influenced by any of the observation made in this order.

[G.K.I., J.] [R.P., J.]
05.02.2026

NCC :Yes/No
Index: Yes/No
Internet: Yes/No
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To

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4. The Superintendent of Prison,
Central Prison,
Palayamkottai

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

6. The Principal District Judge,
Thoothukudi



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G.K. ILANTHIRAIYAN,J.
AND
R. POORNIMA,J.

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