

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**WEDNESDAY, THE TWENTY FOURTH DAY OF JUNE,
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WP NO: 10646 OF 2026

Between:

Varalakshmi, W/o Raj, Aged 53 years, R/o 1, Ambedkar Nagar, 6th Street,
Madhavaram Village, Tiruvalluru District, Tamilnadu State - 600060.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Chief Secretary,
Secretariat Buildings, Amaravathi at Velagapudi, Guntur District -
522237.
2. The Principal Secretary to Government (FAC), Revenue (Excise-II)
Department, State of Andhra Pradesh, Secretariat Buildings,
Amaravathi at Velagapudi, Guntur District - 522237.
3. The Commissioner of Police, Tirupati, Tirupati District -517501.
4. The Superintendent of Police, Tirupati District- 517501.
5. The Superintendent, Central Prison, Kadapa, YSR Kadapa District -
516002.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue writ order or direction more particularly one in the nature of writ of Habeas Corpus under Article 226 of the constitution of India directing the 5th respondent to produce Babu Backiaraj, S/o. Babu, who is now detained in Central Prison, Kadapa before this Honble Court and he may be ordered o

be released forthwith after declaring his detention vide orders passed in G.O. t.No.1616, dt. 22.12.2025, passed by the 2nd respondent which was confirmed by the orders passed in G.O.Rt.No.439, 18.03.2026 Revenue (Excise-II) Dept., as illegal and unconstitutional;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri D.Purnachandra Reddy, Advocate for the Petitioner and Sri R.V.S.N.Varma, learned Assistant Government Pleader attached to the office of the learned Advocate General for the Respondent Nos.1 to 5, the Court made the following;

ORDER:

Sri R.V.S.N.Varma, learned Assistant Government Pleader attached to the office of the learned Advocate General, appears for respondents, and prays for further time to file counter affidavit.

2. On 22.04.2026, this Court granted time to the respondents to file a counter affidavit .No counter affidavit has been filed.

3. In *Habeas Corpus* petitions involving challenges to preventive detention orders, expeditious consideration is required, as the issues directly concern the fundamental rights guaranteed under Articles 21 and 22 of the Constitution of India. Any undue delay in filing counter affidavit reflects on delay in determination.

4. This Court has repeatedly noticed that in a large number of matters concerning preventive detention being listed before this Court, counter affidavits are not being filed within the time granted by the Court. Such delays impede the expeditious disposal of *Habeas Corpus* petitions and adversely affect the valuable right to life and personal liberty of the detenues. The State is expected to act with utmost promptitude in such matters and ensure that counter affidavits are filed positively within the time granted by the Court.

5. As a last opportunity, for filing the counter affidavit, list the matter on 08.07.2026.

6. If the counter affidavit is not filed within the time stipulated above, respondent No.1 – the Chief Secretary, A.P. Secretariat, shall appear before this Court to explain the reasons for non-compliance with the orders of this Court.

7. Let a copy of this order be sent to the learned Advocate General, so also to the Chief Secretary, A.P. Secretariat.

//TRUE COPY//

SD/- Y.SRINIVASU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Chief Secretary, State of Andhra Pradesh, Secretariat Buildings, Amaravathi at Velagapudi, Guntur District - 522237. (by **Special Messenger**)
 2. One CC to the Advocate General, High Court of AP (by **Special Messenger**)
 3. One CC to Sri. D.Purnachandra Reddy, Advocate [OPUC]
 4. Two spare copies
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HIGH COURT

RNT,J

&

SS,J

DATED:24/06/2026

LIST THE MATTER ON 08.07.2026

ORDER

WP.No.10646 of 2026

DIRECTION

