

**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

WRIT PETITION NO: 13241 OF 2026

Between:

Devi G, W/o. Gnanamoorthy, Aged 35 years, Occupation: Housewife, R/o
4/54, MGR Nagar, 5th cross street, Sittalapakkam, Tambaram,
Kancheepuram, Tamilnadu.

Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Chief Secretary,
General Administration (Law & Order) Dept, Secretariat, Velagapudi
Village, Amaravathi, Andhra Pradesh. Pin 522237
2. The Collector and District Magistrate, Tirupati, Tirupati District, Pin
517501
3. The Superintendent, Central Prison, Kadapa, YSR Kadapa District, Pin
516001
4. The Superintendent of Police, FAC Red Sanders Anti-Smuggling Task
Force, Tirupati, Tirupati, District. Pin 517501

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ of Habeas Corpus under Article 226 of the Constitution of India directing the respondents to produce Gnanamoorthy G, S/o Gowindaswamy, aged about 38 years, presently detained in Central Prison, Kadapa, YSR Kadapa District before this Honourable court and he may be ordered to be released forthwith/set at liberty after declaring his detention vide REV02/444/2026-SA-C2, dated 05-03-2026 passed by the 2nd Respondent as confirmed in G.O.Rt.No.869, General Administration (SC-I) Department, dated 16-03-2026 passed by the 1st respondent after receiving the report of the advisory board dated 29-04-2026 as illegal, arbitrary, unconstitutional and void

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri S Dushyanth Reddy, Advocate for the Petitioner, and of Advocate General for the Respondent Nos. 1 to 4, 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 respondent Nos.1 to 4, and prays for further time to file counter affidavit.

2. On 06.05.2026, this Court granted time to the respondent Nos.1 to 4 to file 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/- N.SRINIVASA RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Chief Secretary, State of Andhra Pradesh, General Administration (Law and Order) Dept, Secretariat, Velagapudi Village, Amaravathi, Andhra Pradesh. Pin 522237 (By Special Messenger) ✓
2. The Collector and District Magistrate, Tirupati, tirupati District. Pin 517501

3. The Superintendent, Central Prison, Kadapa, YSR Kadapa District. Pin 516001
4. The Superintendent of Police, FAC Red Sanders Anti-Smuggling Task Force, Tirupati, Tirupati, District. Pin 517501 **(2 to 4 by Speed Post)**
5. One CC to Sri S Dushyanth Reddy Advocate [OPUC]
6. Two CCs to Advocate General, High Court of Andhra Pradesh. **(By Special Messegenger)** ✓
7. One spare copy

HIGH COURT

RNT, J

&

SSJ

DATED: 24/06/2026

LIST THE MATTER ON 08.07.2026

ORDER

WP.No.13241 of 2026

INTERIM DIRECTION

