

Dr. Talamanchili Sivaji, M. B., B. S.,

Regd. No. 7655

GUNTUR-4

D/ 14-5-1976.

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My dear Raju,

I hope that it will find you in sound health and best of your moods. Due the reasons well known I could not write to you earlier. As you know I was detained on 25th of last June. As per the law of the land ~~existing~~ the grounds of the detention should be served within 5 days. On 29th June though 16-A(9) was emerged in the form of an ~~edinance~~ ordinance, grounds were served on me on the same day at Rajahmundry Central prison. Later in view of Karnatak High Court Judgement to fill the gap the old detention order of 25th June was revoked on 28th August and a fresh detention order was served simultaneously. Later the Division Bench of A.P. High Court held on 9th October that the detentions are illegal as the State Government failed to intimate to the center about the fact of the same within 21 days. Then the Government revoked all detention orders in the State and served fresh detention orders simultaneously.

My case of Habeus Corpus petition was before the Bench from 10th November and on hearing the case the Division Bench transferred the same to the Full Bench. Though the detention order was revoked twice we plead that it is only to fill the technical gap and the old grounds of detention hold good even for the fresh detention order also and as per the P.P as well as Advocate General stressed the question of 16-A (9) did not arise in our particular case and their Lord ships pleased to examine the grounds and released me on 8th of last month. Though the Judgement says that I could not be rearrested on the same grounds and if the Govt. acts so it only amounts to encroaching judiciary rights and even if my legislation also it con't be so, the police as per the standing instructions rearrested me at the court itself on the spot, and kept me in Charminar Police station of Hyderabad. Later the Police Commissioner as well as the D.I.G Intelligence refused to issue Misa warrant as the Judgement is in my favour. So at 10 PM late in the night they produced me at the City Magistrate at his residence and wanted 5 days judicial demand under 151 CRPC. Later I was produced to the Magistrate once again on 12-4-76 who released me as the Police did not file any charge sheet against me. Immediately they served another Misa warrant once again and send me back to the Prison. It is only to gain the time of 5 days they foisted the case so that they may contact the Chief Minister in my affair.

p.t.o.

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Meanwhile the full test of the judgement was available and was referred by the Government to the legal Department and sought their advice. But they advised in my favour. On the other hand the Government wanted to appeal to the Supreme S Court and they filed for the leave petition in the High court. The High Court issued notice to us to that effect and we said that the previous judgement of the full Bench of the A.P High Court should be executed first before granting leage to the Supreme court. Under these circumstances the Government didnot find any way out except to release me. On the other hand we were about ~~th~~ to file a contempt of court petition against the State so the Chief Secretary who has to confirm the detention order of 12th April '76 within 15 days by 27 could not do so and revoked the order on the same day. Thus I was released on 27th and the Supreme Court held on the next day that the Habeus Corpus petition was not maintainable during emergency. Thus I scrapped through by 24 hours. Even now also I may be dedetained at any time and I think it seems to be certain of it.

As you know my sister ~~is~~ Miss. Y.Prameela Rani completed her M.B.A and now temporarily working as Assistant Lecturer at Lady's college, Vijayawada. In this connection I wanted your advice so that I can put her in proper managerial line in a better putting.

Please revive my name in the mailing list of Freedom first, white star, publications of Forum of free-enterprize etc.,

I request you to inform the above matter to all our friends there like Mr.M.R.Masani, M.R.Pai, Aravind Desh Pande, K.H. Subrahmanyam etc.

I hope that we will discuss all the remaining matters at an early date in person.

Awaiting for your early reply,

With kind regards,

Yours sincerely,

Y. Sivaji

(Y. SIVAJI)