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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 30-07-2026**

CORAM

**THE HON'BLE DR.JUSTICE ANITA SUMANTH**

**AND**

**THE HON'BLE MR.JUSTICE SUNDER MOHAN**

**WP CrI. No. 1848 of 2026**

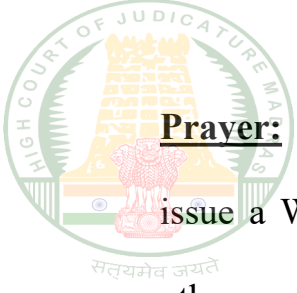
Mathavi  
W/o. Manikandan  
No.7/14, Vadakku Thamaraiikulam,  
Thamaraiikulam,  
Agatheswaram,  
Kaniyakumari District-629 704.

..Petitioner(s)

Vs

1. The Home Secretary Home Department  
Prison(IV)  
Secretariat, Fort St George,  
Chennai-600 009.
2. The Deputy Inspector General of Prisons  
Coimbatore Region,  
Central Prison  
Coimbatore- 641 018.
3. The Superintendent of Prison  
Central Prison,  
Coimbatore-641 018.

..Respondent(s)

**Prayer:**

Writ petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus or order or direction in the nature of Writ or any other appropriate Writ directing the 2<sup>nd</sup> respondent to grant 30 days ordinary leave to the petitioner's brother namely paraman @ Paramasivan (PID No.43198) confined at Central Prison, Coimbatore without police escort and to pass such other further orders as this Hon'ble court may deem fit and proper to the circumstances of the case and thus render Justice.

For Petitioner(s): Mr.S.Mohamed Sahith Ali  
for Mr.B.Karthik

For Respondent(s): Mr.C.R.Malarvannan  
Counsel For Government Of Tamil Nadu  
(Criminal Side)

**ORDER**

**(Order of the Court was made by Dr.Anita Sumanth J.)**

We have heard Mr.S.Mohamed Sahith Ali, learned counsel for Mr.B.Karthik, learned counsel for the petitioner and Mr.C.R.Malarvannan, learned Counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondents.

2.The petitioner has filed this writ petition on behalf of her brother Paraman @ Paramasivan who is a convict in Central Prison, Coimbatore. She had instituted W.P.(CrI.)No.1556 of 2026 seeking a mandamus directing the 3<sup>rd</sup>



respondent to consider her representation dated 24.06.2026 where she had sought 30 days ordinary leave for her brother.

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3.The writ petition came to be closed on 06.07.2026 noting that the authorities had received the representation and recording the statement of Mr.Malarvannan that the same was under consideration. We had directed the authorities to pass orders in line with the Tamil Nadu Suspense of Sentence Rules, 1982 (in short 'Rules') within a period of one week from the date of that order. That period of one week expires on 13.07.2026. Admittedly, there has been a violation of the timeline as an order of rejection has been passed only on 29.07.2026 (copy furnished now to the Court), thus, constraining the petitioner to yet again move the present writ petition where a writ of mandamus has been sought directing the authorities to grant leave.

4.Mr.Malarvannan circulates letter dated 10.07.2026 from the Jail Superintendent addressed to the police authority asking for a police report, attributing the delay on the part of the police authority in furnishing the report.

5.We are unconvinced with this explanation as this is a matter inter se the authorities. Hence, and in light of the admitted delay in disposal of the representation, R3 is put to terms and will remit costs of Rs.5,000/- to the High Court Legal Services Committee.

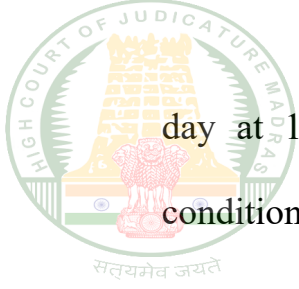


6. We have perused the police report dated 29.07.2026 that appears to be largely formal. In fact, the convict has gone on 4 days leave in 2019, 6 days in 2025, 28 days in 2025 and 3 days in 2026, twice without escort. There has been nothing untoward reports on those occasions. The police authority also does not mention any specific reason to support his apprehension of threat to the convict's life.

7. In the above circumstances, and bearing in mind the trajectory that this matter has taken, we are inclined to mould the relief, convert the prayer to a writ of certiorarified mandamus challenging order dated 29.07.2026 and quash the same, directing the authorities to grant leave without escort of 28 days commencing from 01.08.2026. This is also in light of the fact the probation officer has found the reasons seeking leave, to be genuine and has recommended the same.

8. Accordingly, the respondents are directed to release the convict viz., Paraman @ Paramasivan, S/o Sivan, aged about 33 years, confined at Central Prison, Coimbatore, on ordinary leave for a period of twenty eight (28) days without escort i.e., from 01.08.2026 to 28.08.2026.

9. The convict shall be released on 01.08.2026 at 10.00 A.M. and is directed to surrender before the Superintendent of Prisons, Central Prison, Coimbatore, on 29.08.2026 before 10.00 A.M. The convict shall report before the Inspector of Police, Thamaraiikulam Police Station, Kanniyakumari every



day at 10.30 a.m., during the period of leave and shall abide by all the conditions prescribed in the Jail Manual.

10. This Writ Petition (Criminal) is allowed to the above extent with costs.

(A.S.M.,J.) (S.M.,J.)  
30-07-2026

vs

Index: Yes/No

Speaking order

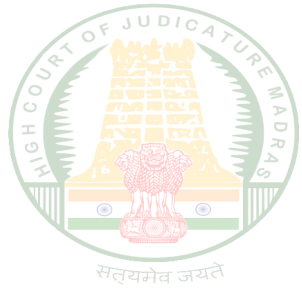
Neutral Citation: Yes

**Note to Registry: (i) Issue order copy by 31.07.2026.**

**(ii) Registry to carry out the necessary amendment to the cause-title.**

To

1. The Home Secretary Home Department Prison(IV)  
Secretariat, Fort St George,  
Chennai-600 009.
2. The Deputy Inspector General of Prisons  
Coimbatore Region,  
Central Prison  
Coimbatore- 641 018.
3. The Superintendent of Prison  
Central Prison,  
Coimbatore-641 018.
4. The Public Prosecutor, High Court of Madras.
5. The Inspector of Police,  
Thamaraikulam Police Station, Kanniyakumari.



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**DR.ANITA SUMANTH J.**  
**AND**  
**SUNDER MOHAN J.**

VS

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