

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R. SUDHAKAR
AND
THE HONOURABLE MR. JUSTICE P.N.PRAKASH

HCP.No.1682/2015

Mariyammal

..Petitioner

Versus

1.The Additional Director General of Police &
Inspector General of Prisons, Gandhi Irwin
Salai, Egmore, Chennai 600 008.

2.The Superintendent
Central Prison, Madurai.

3.The Superintendent
Central Prison, Salem.

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Habeas Corpus directing the respondents to produce the petitioner's husband Murthy, son of Kanthasamy, aged 47 years, now confined in Central Prison, Madurai to Central Prison, Salem.

For Petitioner : Mr.P.Pugalenthir

For RR 1 to 3 : Mr.A.N.Thambidurai, APP

ORDER

[Order of the Court was made by P.N.PRAKASH, J.,]

The above petition has been filed by the petitioner/wife of the detenu, to re-transfer the petitioner's husband namely Murthy, aged 47 years, from the Central Prison, Madurai, to the Central Prison, Salem.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3.The Superintendent of Prison, Madurai has filed a counter, wherein it is stated as follows in paragraph no.9:

"9.Again the life convict prisoner No.5414 Murthi S/o.Kandasamy has submitted a petition on 25.05.2015 requesting re-transfer to Central Prison, Salem. The Superintendent Central Prison, Salem has reported in his letter No.4957/R3/2015 dated 17.04.2015 that the above life convict has an illegal contact with the wife of an another life convict No.6944 Dhanapal, S/O.Angamutu of Central Prison, Salem outside and as such, there is an animosity between the prisoners and as a result, there is a possibility of raising problems between the relatives/friends of both of them during interview when the above two prisoners in same prison. Hence, the Superintendent Central Prison, Salem has not recommended for re-transfer of life convict Prisoner No.5414 Murthi S/o.Kanthasamy to Central prison Salem. In continuation proposal has been submitted to the Additional Director General of Police/Inspector General of Prisons vide office letter No.R3/18506/2015 dated 11.06.2016 recommending transfer to the nearby prison, Central Prison, Coimbatore on humanitarian grounds and is under consideration by the 1st respondent."

4.In view of the above, this Court is of the view that this is not a fit case to interfere in matters of transfer of a prisoner since they relate to internal administration by prison authorities.

5.In the result, this petition stands dismissed.

Sd/

ASSISTANT REGISTRAR (CS-V)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

gms

To

1.The Additional Director General of Police & Inspector General of Prisons, Gandhi Irwin Salai, Egmore, Chennai 600 008.

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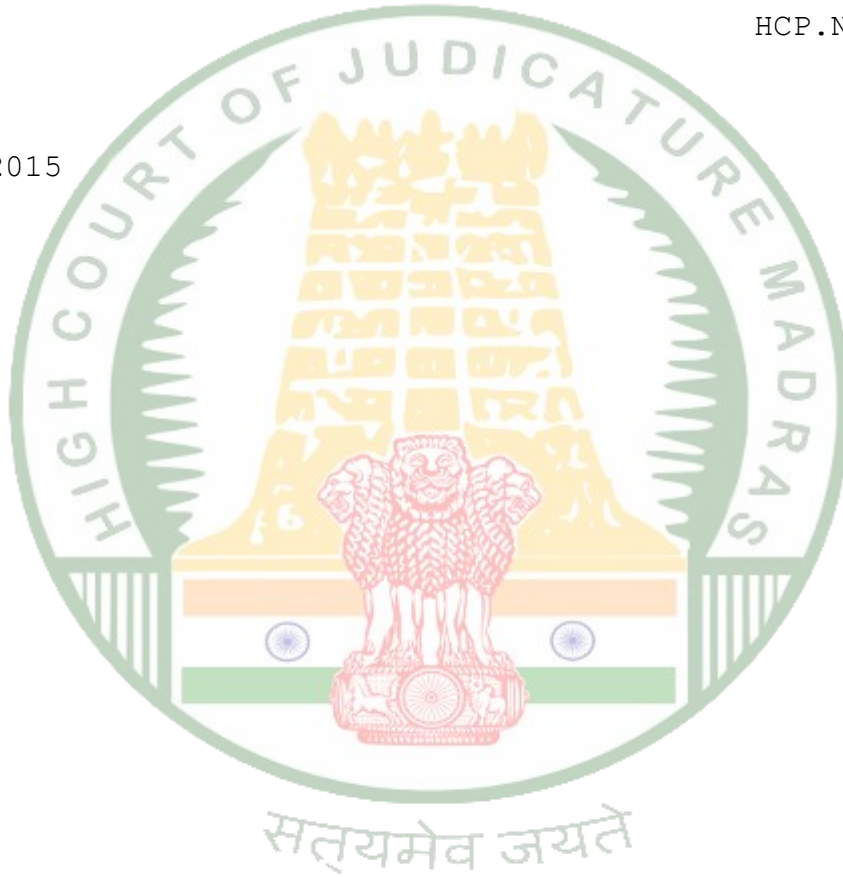
2.The Superintendent
Central Prison, Madurai.

3.The Superintendent
Central Prison, Salem.

4.The Public Prosecutor
High Court, Chennai.

HCP.No.1682/2015

CO-AD
JD 07/12/2015



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