

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2015

CORAM:

THE HON'BLE MR. JUSTICE R.SUDHAKAR

AND

THE HON'BLE MR. JUSTICE P.N. PRAKASH

H.C.P.No.1737 of 2014

Mathaiyan

Petitioner

vs.

- 1.The State of Tamil Nadu,
Rep. by the Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
- 2.The Additional Director General of Police and
Inspector General of Prisons,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.
- 3.The Superintendent of Prison,
Central Prison, Salem.

Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the petitioner namely Mathaiyan S/o. Munusamy, C.T.No.371, Life Convict aged about 66 years, now confined in the Central Prison, Salem before the Hon'ble Court and further directing the respondents to consider the petitioner immediately for premature release and set him at liberty.

For Petitioner Mr.P.Pugalenth

For Respondents Mr.A.N.Thambidurai
Additional Public Prosecutor

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

The petitioner seeks pre-mature release on the ground that he has suffered imprisonment for over 20 years. The Deputy Secretary to Government, Home, P & E Department has filed a counter, wherein he has tabulated the period of sentence the petitioner has undergone upto 2014 and that in paragraph no.10 it is stated as follows:

"10. With reference to the averments made in paragraph (5) of the affidavit, it is submitted that, no such petition has been received by the Government. The petitioner's Advocate Thiru P.Pugalenthil has sent the representation dated 07.12.2014, to the Government and the same has been forwarded to the Additional Director General of Police/Inspector General of Prisons for necessary action on 11.03.2014. The action has been taken by the Superintendent, Central Prison, Coimbatore to place the petitioner's case before Advisory Board. Hence, there is no question of failure on the side of respondents and it would not be arbitrary, discriminatory, unfair and unreasonable."

In view of the above, the respondents are directed to proceed with the matter expeditiously in accordance with law. Accordingly, this Habeas Corpus Petition is closed.

sd/-

Assistant Registrar (Cs-V)

/TRUE COPY/

Sub-Assistant Registrar

gms

To

1. The Secretary to Government,
The State of Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.

2.The Additional Director General of Police and
Inspector General of Prisons,
Gandhi Irwin Road,Egmore, Chennai - 600 008.

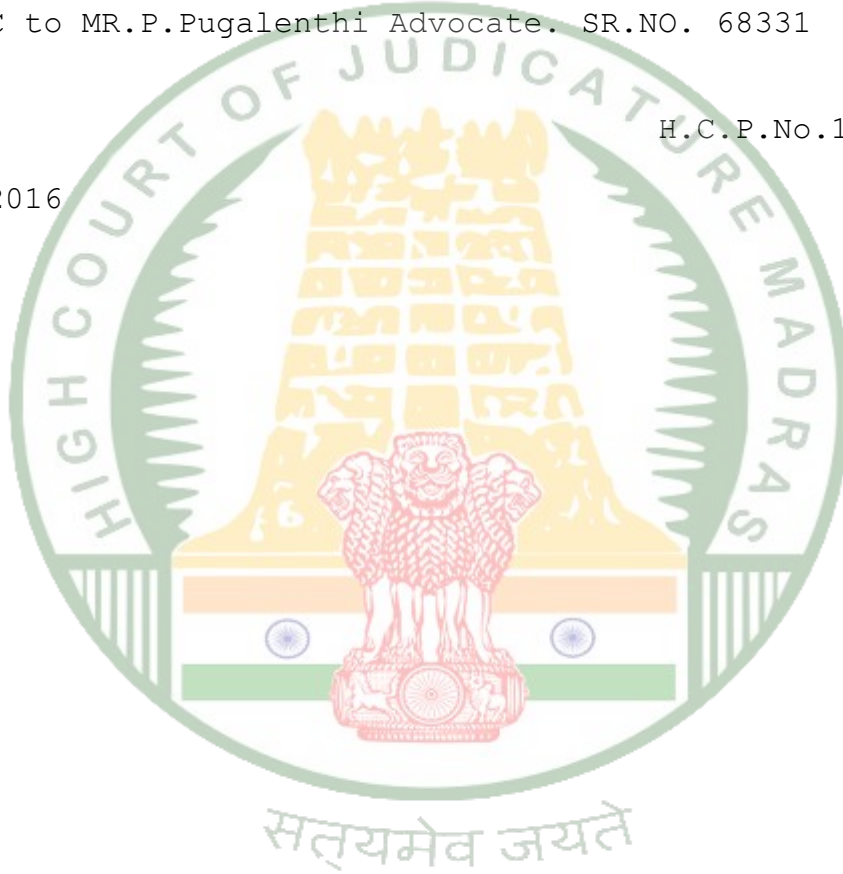
3.The Superintendent of Prison,
Central Prison, Salem.

4.The Public Prosecutor
High Court of Madras, Chennai.

+1 CC to MR.P.Pugalenthil Advocate. SR.NO. 68331

CO-SV
JD 08/01/2016

H.C.P.No.1737 of 2014



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