

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.32713 of 2014

N.Manonmani

...Petitioner

Vs

1. State of Tamilnadu,
rep. By its Home Secretary
Secretary of Tamilnadu (Prison)
Secretariat, Chennai - 9
 2. The Deputy Inspector General of Prison,
CMDA Tower II,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008
 3. The Superintendent of Prison,
Cuddalore Central Prison,
Cuddalore
- ... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to grant leave to the petitioner's son Mr.N.Govindaraj (Convicted No.13329) who is confined in Central Prison, Cuddalore for a period of three months to enable him to arrange for his marriage and construct a house for the petitioner and for accompany petitioner during medical treatment of petitioner.

For Petitioner : Mr.R.Veeramani

For Respondent : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

Heard Mr.R.Veeramani, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents.

2.The petitioner, namely, Tmt.Manonmani, is the mother of life convict N.Govindaraj, who is now confined in Central Prison, Cuddalore. The petitioner would state that she is suffering from certain health issues and wants to see her son and that apart the petitioner wants to arrange the marriage for her son and also put up construction of the house, which according to the petitioner is in a dilapidated condition. The petitioner would further state that her husband and two sons all are confined in the same Central Prison, Cuddalore, having been convicted for life in imprisonment, pursuant to the Judgment in S.C.No.45 of 2005 on the file of the Principal Sessions Court, Coimbatore, confirmed by this Court in

Criminal Appeal No.1011 of 2005. The petitioner has submitted a representation for grant of leave to her son, life convict N.Govindaraj for a period of three months and the application is now pending.

3.On earlier occasion, this Court adjourned the matter to enable the petitioner to file some documents to show that she had chosen a bride for her son and that she has taken preparatory steps to arrange marriage. Today, when the matter was taken up for hearing, the learned counsel for the petitioner, on instructions, submitted that the petitioner being a aged lady with frail health is unable to make any arrangement, unless and until her son comes out on parole/leave, she will not be in a position to proceed further in the matter.

4.In the light of the above submission and taking note of the facts stated above, there shall be a direction to the 3rd respondent to consider the petitioner's application for grant of leave for her son, namely, N.Govindaraj (Convicted No.13329) after verifying the correctness of the statement by inviting appropriate report from the jurisdictional police and thereafter pass final orders within a period of three weeks from the date of receipt of copy of this order.

With the above direction, this Writ Petition is disposed of.
No costs.

Sd/-
Assistant Registrar

//True Copy//
Sub Assistant Registrar

To

1. The Home Secretary State of Tamilnadu,
Secretary of Tamilnadu (Prison)
Secretariat, Chennai - 9
2. The Deputy Inspector General of Prison,
CMDA Tower II,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008
3. The Superintendent of Prison,
Cuddalore Central Prison,
Cuddalore
4. The Principal Sessions Court, Coimbatore.

+ 1cc to Mr.R. Veeramani, Advocate SR.9543
+ 1 cc to Government Pleader Sr.9246

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SV(CO)
Eu 2.03.15