

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2015

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.24087 of 2015

1 Murugan
S/o. Kannan High Security Block
Central Prison-1 Puzhal
Chennai-600 066. .. Petitioner

Vs

1 The Additional Director
General of Police and Inspector General of Prisons
Gandhi Irwin Road Egmore Chennai- 600 008.
2 The Superintendent of Prisons
Central Prison-1, Puzhal,
Chennai. .. Respondents

Writ Petition under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to consider the representation dated 21.07.2015 made by the petitioner and decide the same in accordance with law

For petitioner : Mr. P. Pugalenthir

For respondent : Mr. RAS. Senthilvel, AGP.

ORDER

By consent, the main writ petition is taken up for final hearing.

2. The petitioner would state that in the year 2001, he was arrested by Palayur Police, Nagapattinam District in Crime No.305 of 2001 for the commission of the offence under Section 302,IPC and was convicted and sentenced to life imprisonment in S.C.No.100 of 2002 by the Court of District and Sessions Judge, Nagapattinam and according to the petitioner, he has already undergone 11 years of imprisonment and had been lodged in the Central Prison,Cuddalore and thereafter, transferred to Central Prison, Tiruchi. The petitioner would further state that he is also implicated as an accused in S.C.No.3 of 2008 on the file of the Additional Sessions Court, Poonamallee for Bomb Blast cases and till the completion of the trial to enable him to participate in the trial, he was transferred to the Central Prison, Puzhal, Chennai. Now, it is the case of the petitioner that the

trial is completed and he is acquitted from the Bomb Blast cases and he is likely to be transferred to Central Prison, Vellore and in this regard, he has submitted a representation, dated 21-07-2015 stating among other things that his relatives are residing nearby and it is also easy for his Advocates to get his instructions and he is also suffering due to sinusitis and ulcer and prays for his retention at Central Prison, Puzhal. Since no orders have been passed, he has come forward with the present writ petition.

3. Heard the submissions of Mr. P. Pugalenth, learned counsel for the petitioner and Mr. R.A.S. Senthilvel, learned Additional Government Pleader for the respondents.

4. This Court taking into consideration of the limited scope of the prayer sought for by the petitioner and without going into the merits of the case, directs the first respondent to consider and dispose of the petitioner's representation dated 21-07-2015 on merits and in accordance with law and pass orders thereon, within a period of four weeks from the date of receipt of a copy of this order and till that date, shall defer the decision with regard to the transfer of the petitioner from the Central Prison, Puzhal, Chennai to some other prison.

5. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

glp

To

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

2 The Superintendent of Prisons
Central Prison-1, Puzhal, Chennai

+1 cc to The Government Pleader, sr.40947

+1 cc to Mr.P.Pugalenth, sr.41161

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