

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.23559 of 2013

and

M.P.No.1 of 2013

K.Easwari

.. Petitioner

vs

1. The Government of Tamil Nadu
rep.by Home Secretary
Home Department
Secretariat, Chennai.

2. The Additional Director General (Prisons)
No.1-A, Gandhi Irwin Road
CMDA Tower II
Egmore, Chennai 600 008.

3. The Superintendent
Central Prison
Cuddalore, Cuddalore District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to transfer the petitioner son Balu @ Dhanapal, S/o.K.V.Kumarasamy Convict No.319 from Central Prison, Cuddalore to Central Prison, Salem.

For Petitioner : Mr.B.Nambiselvan

For Respondent : Mr.R.Vijayakumar, AGP

ORDER

The petitioner, who is the mother of the life convict, who is presently confined in Central Prison, Cuddalore seeks his transfer to the Central Prison, Salem stating that she is very old and therefore, she is not able to travel up to Cuddalore to see her son. In this regard, the representation sent by the petitioner dated 09.08.2013 to the third respondent is also pending till date, without any action being taken. Hence, the present writ petition.

2. Learned counsel for the petitioner also submitted that during the pendency of the writ petition, admittedly the petitioner's son was shifted to Central Prison, Salem for a period of three months, however, before the lapse of three months, he was again transferred to Central Prison, Cuddalore.

3. Though after admission, the matter was adjourned for filing counter on five occasions, till date, the respondents have not filed any counter. Hence, the request made by the learned Additional Government Pleader seeking further time to file counter is rejected.

4. In view of the above facts, there will be a direction to the third respondent, viz., Superintendent, Central Prison, Cuddalore to consider the petitioner's representation dated 09.08.2013 and pass appropriate orders on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

vj2

-s/d-

Assistant Registrar()

Dt:6/2/2015

True Copy

Sub-Assistant Registrar

To

1. The Home Secretary
Government of Tamil Nadu
Home Department
Secretariat, Chennai.
2. The Additional Director General (Prisons)
No.1-A, Gandhi Irwin Road
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3. The Superintendent
Central Prison
Cuddalore, Cuddalore District.

+ 1 cc to Mr.B.Nambiselvan, Advocate SR 3922

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