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V.Ulagammal

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.05.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.(MD)No.8012 of 2015

.. Petitioner

Vs.

1. State of Tamil Nadu,
Represented by the Secretary to Government,
Home, Prohibition and Excise Department,
Fort. St.George, Chennai-600 009.

2. The District Collector and District
Magistrate,
Tirunelveli District, Tirunelveli.

3. The Superintendent of Police,
Central Prison,
Palayamkottai.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to grant emergency leave on 20.05.2015 from 06.00 a.m. to 06.00 p.m. to the petitioner's son Arul Ulaganathan, son of Vanumamali, aged about 37 years, who is now confined at Central Prison, Palayamkottai thereby enabling the petitioner's son to attend his brother marriage which is scheduled to be held on 20.05.2015 at Baskar Wedding Hall, Kalakkadu, Tirunelveli District.

For Petitioner : Mr.K.Sudalaiyandi

For Respondents : Mr.M.Muthukaruppan
Additional Government Pleader

O R D E R

This writ petition has been filed for grant of emergency leave to the petitioner's son to attend his brother's wedding on 20.05.2015.

2. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The request has been rejected by the Superintendent of Prison on the ground that Habeas Corpus Petition has been filed and the same is pending and the petitioner's son is a detainee detained under the Tamil Nadu Act 14 of 1982 and the Superintendent of Prison has no power to release the detainee on parole.

4. The learned Counsel for the petitioner submitted that the petitioner may be permitted to file appropriate miscellaneous petition in the pending Habeas Corpus Petition.



5. In the light of the above, the writ petition stands disposed of, giving liberty to the petitioner to move before the Division Bench of this Court for appropriate relief. No costs.

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/True copy/

Sd/-
Vacation Officer

Sub Assistant Registrar

To

1. The Secretary to Government,
Government of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort. St.George, Chennai-600 009.
2. The District Collector and District
Magistrate,
Tirunelveli District, Tirunelveli.
3. The Superintendent of Police,
Central Prison, Palayamkottai.

+1CC TO THE SPECIAL GOVERNMENT PLEADER, IN SR : 25418

Ssl
SR/IV : 15.05.2015 : 2p/5c

W.P. (MD) No.8012 of 2015
13.05.2015