

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.21316 OF 2011

DATED 09th JUNE, 2015

Between:

Smt. Yedla Bayamma

.. Petitioner

and

Government of Andhra Pradesh,

Rep. by its Principal Secretary,

Department of Home

.. Respondent

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION NO.21316 OF 2011

ORDER

The petitioner seeks a direction to the State to grant her brother special

remission of sentence in the light of the guidelines issued under G.O.Ms.No.338, Home (Prisons.C) Department, dated 24.07.2009.

The Deputy Secretary to Government, Home Department, Andhra Pradesh, filed a counter-affidavit stating that the brother of the petitioner fell within the excepted category under para 4 (ix) of G.O.Ms.No.338 dated 24.07.2009.

Perusal of the G.O. reflects that under para 4 thereof, the remission permitted under para 3 was held inapplicable to the stipulated categories of prisoners, one of which was prisoners sentenced to death sentence, which was later commuted to life sentence. Admittedly, the petitioner's brother falls within the said category.

In that view of the matter, the petitioner cannot seek a direction from this Court to extend any special remission of sentence to her brother basing on the aforesaid G.O. which is clearly inapplicable to him.

The writ petition is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

09th JUNE, 2015

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