

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

WRIT PETITION NO. 25294 OF 2015

Between:

Kanna Satheesh

□ □ □

Petitioner

V/s.

The State of Telangana,
Represented by its Prl.Secretary,
Home Department,
Secretariat, Hyderabad & Anr.

...

Respondent

DATE OF JUDGMENT PRONOUNCED : 12/08/2015

SUBMITTED FOR APPROVAL

HONOURABLE SRI JUSTICE A.V. SETHA SAI

1. Whether Reports of Local Newspapers
May be allowed to see the judgment ?

Yes/No

2. Whether the copies of judgment may be Marked to Law Reporters/Journals

Yes/No

3. Whether his Lordship wish to see the fair
Copy of the judgment ? Yes/No

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

WEDNESDAY THE TWELVETH DAY OF AUGUST
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 25294 OF 2015

-
Between:

Kanna Satheesh ... Petitioner

V/s.

The State of Telangana,
Represented by its Prl.Secretary,
Home Department,
Secretariat, Hyderabad & Anr. ... Respondent

Counsel for the Petitioner: Party in-person

Counsel for the Respondents: GP for Home [TG]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 25294 OF 2015

-
-
ORDER :
-

This writ petition is filed under Article 226 of the
Constitution of India for the following relief :

To declare the action of respondents in not consideration application of the petitioner dated 01/08/2015 for extension of parole period as arbitrary, illegal, violative of principles of natural justice apart from violative of Articles 14, 21 and 300-A of the Constitution of India and consequently to direct the respondents to extend the period of parole of the petitioner i.e., Kanna Ramesh, Convict No. 3269, S/o Nageshwar Rao, aged about 29 years, R/o Thgallathippa village, Kothapalem Post, Nizampatnam Mandal, Guntur district for a further period of two months, as the mother of the petitioner is suffering from kidney disease and her condition is critical and to pass such other suitable orders as this court may deem fit and proper in the circumstances of the case.

2. The petitioner is a life convict prisoner undergoing imprisonment vide Convict No. 3269 and lodged in Central Prison, Cherlapally, Ranga Reddy district for the last six years including remand and jail remission. In SC.No. 265 of 2009 the petitioner was found guilty for offences under section 302 and 379 IPC by the Court of Principal Sessions Judge, Nalgonda and he was

sentenced to undergo life imprisonment and also to pay a fine of Rs.500/- by virtue of judgment dated 11/08/2010. It is further stated in the writ affidavit that against the judgment in SC.No. 265 of 2009, an appeal was filed and it is pending. By virtue of G.O.Rt.No. 374, Home [Legal Department], dated 05/05/2015, the State Government granted parole in favour of the petitioner herein for a period of thirty days from 13/07/2015 fixing the date of surrender as 13/08/2015 before 12 noon.

3. The petitioner herein submitted a representation to the State Government on 01/08/2015 seeking extension of his parole period and according to the petitioner herein the said representation is pending consideration before the State Government and no orders have been passed on the said representation.

4. It is also stated in the affidavit filed in support of the petition that the petitioner's mother is suffering from kidney disease and she requires necessary treatment and the petitioner is the only person to look after her and as such the presence of the petitioner is very much essential to provide better treatment. In order to demonstrate the said illness, the petitioner herein has

enclosed along with the present writ petition certain laboratory test reports, prescriptions and a certificate issued by Global Hospitals.

5. Taking into consideration the totality of the circumstances, keeping in view the nature of controversy, this court deems it appropriate to dispose of the present writ petition by directing the first respondent to pass appropriate orders on the representation dated 01/08/2015 submitted by the petitioner for extension of parole by fixing some time frame.

6. With the above direction, the writ petition is disposed of directing the first respondent to pass appropriate orders on the representation dated 01/08/2015 submitted by the petitioner herein requesting extension of parole within a period of one week from the date of receipt of copy of this order. Till the said exercise attains finality, parole period granted by the State Government vide G.O.Rt.No.374, Home [Legal Department] dated 05/05/2015 stands extended. However, the petitioner shall appear before Station House Officer, Repalle Police Station, Guntur district, on every day in between 10:30 a.m. and 11:30 a.m.

7. The writ petition is disposed of. No costs.

8. As a sequel, miscellaneous petitions if any, pending in

this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

12/08/2015

ISL

NB :

- 1) Issue CC tomorrow.
- 2) Office to communicate the order to the Principal Secretary Home Department, State of Telangana, Secretariat, Hyderabad forthwith.

HONOURABLE SRI JUSTICE A.V. SESA SAI

—

—

—

—

1

1

1

-
-
WRIT PETITION NO. 25294 OF 2015

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

Date:12/08/2015
Circulation No.
Court Master: I s L