

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.NO.19762 OF 2015

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ORDER:

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

“to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 1st respondent with regard to not considering the representation dated 21.06.2015 for extension of parole for a period of four months w.e.f. 03.07.2015 by declaring the inaction as illegal, arbitrary and violative of rights guaranteed under Articles 14, 21 and 300-A of the Constitution of India and further declare that the writ petitioner is entitled for the same.”

Heard Sri Balla Ravindranath, learned counsel for petitioner and learned Government Pleader for Home for respondents.

The petitioner herein earlier filed W.P.No.19305 of 2014 before this Court, questioning the action of the respondents in not considering his representation dated 01.07.2014 for extension of parole for a period of two months w.e.f. 20.07.2014. In the said writ petition, this Court on 11.07.2014 ordered extension of the parole till 21.08.2014. Thereafter, by virtue of G.O.Rt.No.491, dated 30.05.2015, parole was granted in favour of the petitioner for a period of 30 days and the same expires on 03.07.2015. As per the material available on record the petitioner submitted a representation before the State Government on 21.06.2015 seeking extension of the parole period for a further period of four months by enclosing the medical certificates. In the said representation the petitioner herein requested the 1st respondent to take into consideration the severe illness of his mother and the condition of

his family. It is also stated that no orders have been passed on the said representation. Therefore, the present writ petition is filed.

On instructions, learned Government Pleader for Home stated that the State Government has to take decision on the representation of the petitioner.

In support of his contention, learned counsel for the petitioner places reliance on the order of this Court in the case of **Mohd. Irfan Ali v Mujeebunnisa Begum and others**^[1].

Taking into consideration the facts and circumstances of the case and having regard to the order passed by this Court in **Mohd. Irfan Ali's** case supra, the writ petition is disposed of extending the period of parole to the petitioner herein till the disposal of the representation dated 21.06.2015 pending with the 1st respondent. This extension shall however be subject to condition that the petitioner will not leave Hyderabad without the permission of this Court and will report at the Uppal Police Station once in every week i.e. on Saturday between 09.30 AM and 10.30AM. The petitioner shall also inform the Station House Officer, Uppal Police Station as to the place of his residence.

Pending miscellaneous petitions in this writ petition, if any, shall stand dismissed in consequence.

A.V.SESHA SAI, J

02.07.2015

Note: issue c.c. today

b/o kvrm

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DATE: 02.07.2015

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