

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2016

CORAM

THE HONOURABLE MR.JUSTICE B.GOKULDAS

W.P.No.18481 OF 2016

K.Lawrance

..

Petitioner

Vs

The State represented by its

1.The Secretary to Government of
Tamilnadu,
Department of Home,
Fort St.George,
Chennai - 600 009.

2.The Additional Director General of Prison,
C.M.D.A. Towers,
Egmore,
Chennai - 600 008.

3. The Superintendent,
Central Prison,
Puzhal - 1,
Chennai.

Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents to grant leave for 30 days to petitioner's husband, the detenu, D.Gabriel, S/o. Devasagayam, aged about 44 years, convict No.4903, detained at Central Prison, Puzhal - 1, Chennai.

For Petitioner : Mr.S.Manoharan

For Respondents : Mr.P.Sanjay Gandhi
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The learned counsel appearing for the petitioner would submit that though the petitioner has filed the present writ petition seeking to grant leave for 30 days to petitioner's husband, the detinue, D.Gabriel, S/o. Devasagayam, aged about 44 years, convict No.4903, detained at Central Prison, Puzhal - 1, Chennai, it would be suffice to issue a direction to the respondents to consider the representation of the petitioner dated 28.03.2016.

3. The case of the petitioner is that the petitioner's husband was convicted and sentenced to life imprisonment by the Learned Additional and District Sessions Judge Nagapattinam in S.C.No.50 of 1989 dated on 17.10.1989.

4. The petitioner would further submit that her son has completed Higher Secondary in this academic year 2015-2016. He wants to go for higher studies and needs his father's help. In this regard, the petitioner gave a representation dated 28.03.2016 to the respondents, but, it was not considered by the respondents. Hence, the present writ petition has been filed.

5. Heard both sides.

6. This Court, considering the facts and circumstances of the case and also considering the submission of the learned counsel appearing for the petitioner and without going into the merits of this case, directs the third respondent to consider the representation of the petitioner dated 28.03.2016 and pass appropriate orders on merits and in accordance with law, within a period of ten days from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

The writ petition is disposed of accordingly. No costs.

Sd/- सतयमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sms

To

1.The Secretary to Government of Tamilnadu,
Department of Home,
Fort St.George,
Chennai - 600 009.

2.The Additional Director General of Prison,
C.M.D.A. Towers,
Egmore,
Chennai - 600 008.

3. The Superintendent,
Central Prison,
Puzhal - 1,
Chennai.

1 cc to Mrs.Manoharan, Advocate, sr.28730
1 cc to Government Pleader, sr.28849

W.P.No.18481 OF 2016

bvr co
kra 31.05.2016



WEB COPY