

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.8677 of 2013
and
M.P.No.1 of 2013

Prisoners Rights Forum
rep. By its Director, P.Pugalenthil.

... Petitioner

-Vs-

1. The Chief Secretary to Government,
Government of Puducherry,
Puducherry.
2. The Inspector General of Prisons,
No.1, Mathur Road, Kalapet,
Puducherry 605 014.
3. Thiru.Jayakanthan
Superintendent of Prison,
Central Prison, Puducherry.
4. Thiru.Mohanraj
Deputy Jailor, Central Prison,
Puducherry.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 and 2 to suspend respondents 3 and 4 immediately and initiate appropriate disciplinary and criminal action against them who are responsible for the brutal attack mounted on about 90 under trial prisoners confined in the Central Prison, Puducherry, on 27.03.2013.

For Petitioner : No appearance

For Respondents : Mr.M.Govindaraj,
Government Pleader (Puducherry)

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner alleges that he has somehow come to know that on 27.03.2013 about 90 under trial prisoners confined in the Central Prison, Puducherry, were brutally attacked by a team of 100 policemen / prison warders resulting serious injuries. The allegation is of this attack being orchestrated by the fourth respondent / Deputy Jailor at the behest of the Superintendent of Prisons / third respondent. Thus, a detailed enquiry is sought in public interest.

2.The counter-affidavit filed by the respondent shows that the incident as related has been completely denied. On the other hand, what is alleged to have transpired is that over a period of about two (2) months prior to 27.03.2013, some under trial prisoners and hard-core criminals involved in serious crimes were creating problems, 25 such hard-core prisoners had resorted to agitation and climbing of walls, threatening suicide and on 15.03.2013, about 15 of them climbed on to the jammer door in the prison complex and damaged the same, resulting in loss of Rs.25 lakhs to the Government, for which a complaint had been lodged.

3.In the conspectus of the matter, we are, thus, not inclined to entertain this petition any further, as per the stand taken by the respondents.

4.Writ petition is dismissed. No costs. Consequently, M.P.No.1 of 2013 is also dismissed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Chief Secretary to Government,
Government of Puducherry, Puducherry.
2. The Inspector General of Prisons,
No.1, Mathur Road, Kalapet,
Puducherry 605 014.

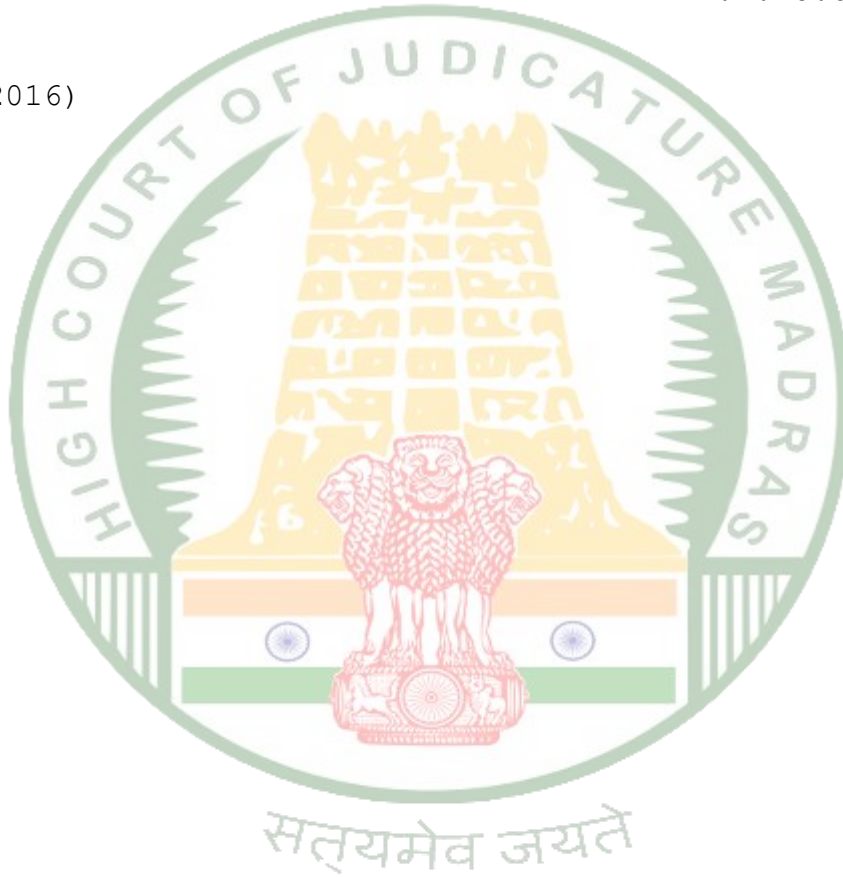
3. The Superintendent of Prison,
Central Prison, Puducherry.

4. The Deputy Jailor,
Central Prison,
Puducherry.

+1cc to the Government Pleader (Pondy), S.R.No.39940

W.P.No.8677 of 2013

VS (CO)
CA (27/07/2016)



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