

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2016

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P.No.32221 of 2016
and
W.M.P.No.27939 of 2016

Vincent Lobo

... Petitioner

Vs.

- 1.The State rep by its
Secretary to Government of Tamil Nadu
Department of Home,
Chennai 600 009.
- 2.The Additional Director General of Police (Prisons)
Prison Headquarters
CMDA Towers, Gandhi Irwin Road
Egmore, Chennai 600 008.
- 3.The Superintendent
Central Prison
Salem 636 007.
- 4.The Superintendent
Central Prison-I
Puzhal, Chennai 600 066

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents 1 & 2 to keep petitioner's brother Albert Anand Lobo (38 years), O.J.C.T.No.1239, permanently at Central Prison-I, Puzhal, Chennai on the basis of the petitioner's representation dated 03.08.2016.

For petitioner : Mr.D.M.Mario Johnson

For Respondents : Mr. C. Emalias
Additional Public Prosecutor

ORDER

This petition has been filed seeking a writ of mandamus directing the respondents to keep petitioner's brother Albert Anand Lobo (38 years), O.J.C.T.No.1239, permanently at Central Prison-I, Puzhal, Chennai on the basis of the petitioner's representation dated 03.08.2016.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. It is seen that the brother of the petitioner, namely Albert Anand Lobo, is a life convict [O.J.C.T.No.1239], who is undergoing life sentence in Central Prison, Salem. He developed certain physical ailments, on account of which he was transferred to Central Prison, Puzhal for better treatment. While so, the petitioner apprehends that even before the completion of treatment to his brother, the authorities may transfer him back to Central Prison, Salem, where there are no adequate medical facilities available for the ailment of the petitioner.

4. It is seen that this petitioner has sent a representation by registered post to the authorities, requesting them not to transfer his brother to Central Prison, Salem. However, liberty is given to Albert Anand Lobo himself to give a representation to the Superintendent of Prison, Central Prison, Puzhgal, Chennai, who shall forward the representation to the concerned higher authorities for taking action in accordance with law expeditiously, not later than four weeks from the date of receipt of representation from the convict.

With the above direction, this petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Secretary to Government of Tamil Nadu
Department of Home,
Chennai 600 009.

2.The Additional Director General of Police (Prisons)
Prison Headquarters
CMDA Towers
Gandhi Irwin Road
Egmore, Chennai 600 008.

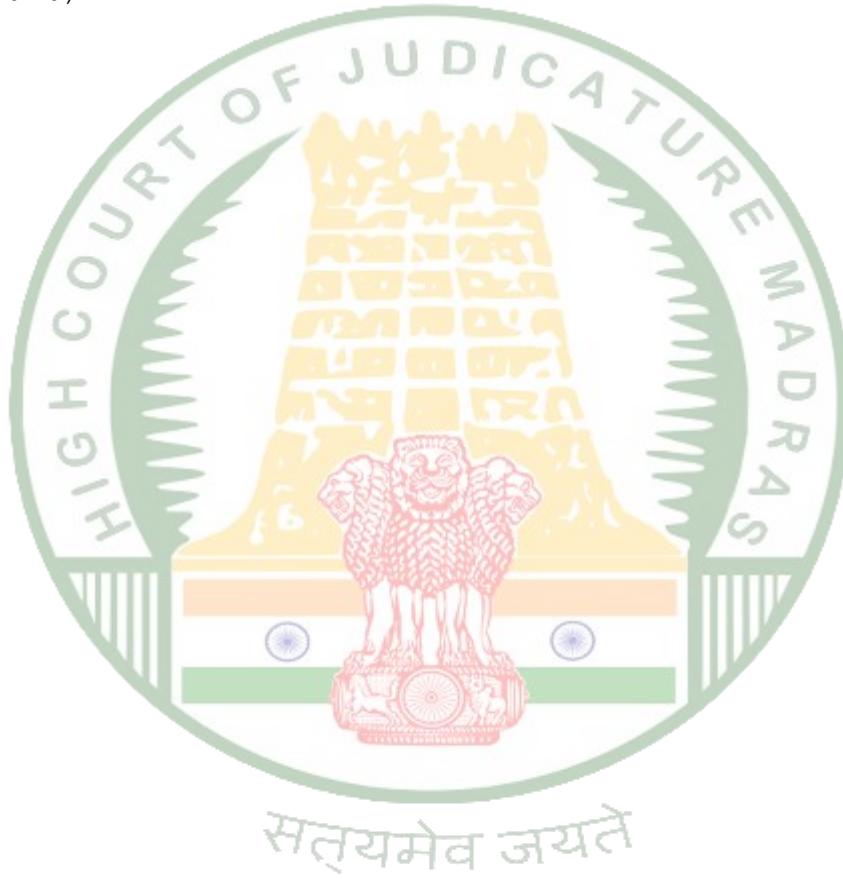
3.The Superintendent
Central Prison
Salem, 636 007.

4.The Superintendent
Central Prison-I
Puzhal, Chennai 600 066.

+1cc to Mr.D.M.Mario Johnson, Advocate, S.R.No.56487

W.P.No.32221 of 2016

MP (CO)
CA(19/10/2016)



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