

THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21..10..2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Writ Petition No.36364 of 2016

A.Aruna

... Petitioner

-Versus-

- 1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Home (Prison IV) Department,
Fort St. George,
Chennai 600 009.
- 2.The Additional Director General of Prison,
Thalamuthu Natarajan Maaligai,
Second Floor, Gandhi Irwin Road,
Egmore, Chennai 600 008.
- 3.The Superintendent of Prisons,
Central Prison (Convict),
Puzhal, Chennai 600 066.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus directing 2nd respondent to grant parole to the petitioner's husband-Somu @ Somasundaram [convict prisoner No.571] who is now confined in Central Prison-I, Puzhal, Chennai so as to assist the petitioner to undergo necessary medical treatment including surgery on the basis of the representation of the petitioner dated 24.09.2016. for a period of 30 days.

For Petitioner : Mr.B.Kumarasamy
For Respondent(s) : Mr.C.Emalias, APP

ORDER

This writ petition has been filed seeking a direction to the 2nd respondent to consider the representation of the petitioner dated 24.09.2016 wherein she made a request for the release of her husband on parole so as to assist her to undergo

surgery for her heart ailment.

2. It is seen that the petitioner's husband is a life convict [Convict Prisoner No.571] and is now undergoing imprisonment for life at Central Prison-I, Puzhal, Chennai. It is the case of the petitioner that she has to undergo cardiac surgery for which the presence of her husband is essential. In this regard, she has sent a representation by registered post to the respondents. In a case of this nature, the authority will have to see whether the convict prisoner will be entitled for leave under the Tamil Nadu Suspension of Sentence Rules. The leave application can be submitted to the Superintendent of Central Prison concerned by the prisoner himself. Hence, liberty is given to the petitioner to submit a leave application to the Superintendent of Central Prison-I, Puzhal, Chennai, and on such application being given the same shall be examined in the light of his eligibility under The Tamil Nadu Suspension of Sentence Rules and appropriate orders shall be passed thereon as expeditiously as possible.

In the result, this Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmk

To

- 1.The Secretary to Government,
Home (Prison IV) Department,
Fort St. George,
Chennai 600 009.
- 2.The Additional Director General of Prison,
Thalamuthu Natarajan Maaligai,
Second Floor, Gandhi Irwin Road,
Egmore, Chennai 600 008.
- 3.The Superintendent of Prisons,
Central Prison (Convict),
Puzhal, Chennai 600 066.

4 The Public Prosecutor,
High Court, Madras

+1cc to Mr.B. Kumarasamy, Advocate, S.R.No.60252

sai (CO)
md(04/11/2016)

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