

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2016

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.43002 of 2016

and

W.M.P.No.36850 of 2016

Jayaseele

[Petitioner]

Vs

1.The Director General of Police cum
Inspector General of Prisons,
CMDA Tower, 2nd Floor,
Gandhi Irwin Road,
Egmore, Chennai-8.

2.The Deputy Inspector General of Prisons,
CMDA Tower, 2nd Floor,
Gandhi Irwin Road,
Egmore, Chennai-8.

3.The Superintendent of Central Prison,
Central Prison-I, Puzhal, Chennai-66.

4.The Superintendent of Central Prison,
Central Prison, Salem.

[Respondents]

Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first respondent to consider and pass orders on the petitioner's representation dated 23.07.2016 seeking to retain the life convict Babu, S/o.Swamy, Convict No.1748 in the third respondent Prison.

For Petitioner : Mr.G.Jeremiah

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus directing the first respondent to consider and pass orders on the petitioner's representation dated 23.07.2016 seeking to

retain the life convict Babu, S/o.Swamy, Convict No.1748 in the third respondent Prison.

2.The petitioner is the wife of the convict, viz. Babu, s/o.Swamy (Convict No.1748), who is presently lodged in the third respondent prison. Originally, upon conviction, he was lodged in the Central Prison, Salem. Subsequently, on a representation made by his wife, the petitioner herein, on health grounds, the petitioner was transferred from Central Prison, Salem to Central Prison, Puzhal, Chennai temporarily till 20.12.2016 and now he is lodged in the Central Prison, Puzhal, Chennai. Apprehending that there is a likelihood of transferring him again to the Central Prison, Salem, as the temporary period expires on 20.12.2016, the petitioner has come up with this writ petition with the above stated prayer.

3.The learned counsel for the petitioner has submitted that a representation has been given by the petitioner in this regard to the authorities and the same may be directed to be considered.

4.The limited scope of this writ petition is to consider the representation stated above, for which the learned Additional Public Prosecutor has no serious objection.

5.Hence, the second respondent is directed to consider the representation of the petitioner dated 23.07.2016 on merits and in accordance with law, and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

KM

Sd/-

Assistant Registrar (CS-)

/TRUE COPY/

Sub-Assistant Registrar

To

1.The Director General of Police cum
Inspector General of Prisons,
CMDA Tower, 2nd Floor,
Gandhi Irwin Road,
Egmore, Chennai-8.

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2.The Deputy Inspector General of Prisons,
CMDA Tower, 2nd Floor,
Gandhi Irwin Road,
Egmore, Chennai-8.

3.The Superintendent of Central Prison,
Central Prison-I, Puzhal, Chennai-66.

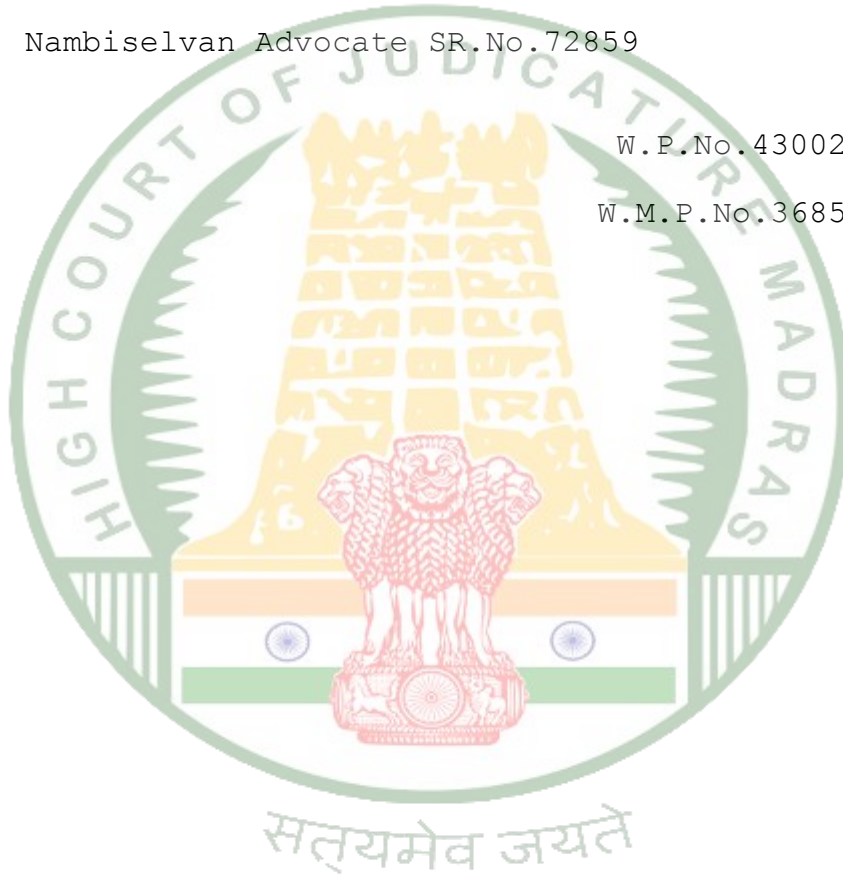
4.The Superintendent of Central Prison,
Central Prison, Salem.

+1 CC Mr.B. Nambiselvan Advocate SR.No.72859

W.P.No.43002 of 2016
and
W.M.P.No.36850 of 2016

NM [CO]

MSI 20/01/2017



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