

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Writ Petition No.44057 of 2016

S.Rajeswari

... Petitioner

Vs.

- 1 The Additional Director
General of Police Prisons Egmore Chennai-8
 - 2 The Commissioner of Police
Greater Chennai Office of the Commissioner
of Police Vepery Chennai-7
 - 3 The Superintendent of Prison
Central Prison Puzhal Chennai
 - 4 The Superintendent of Prison
Salem Prison Salem
- Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to consider the petitioner's representation dated 15.12.2016.

For Petitioner : Mr.M.Baskar
For Respondents : Mr.C.Emalias,
Addl. Public Prosecutor

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ORDER

By consent, the main writ petition is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider her representation dated 15.12.2016.

3. It is the case of the petitioner that she is the cousin sister of one Ravi @ Kadhukuthu Ravi, who is a physically challenged person. On 27.10.2016, the Inspector of Police, J.8 Neelankarai Police Station, arrested the said Ravi @ Kadhukuthu Ravi in connection with a case in Crime No.1438 of 2016 and he was remanded to judicial custody. In the meantime, on 28.11.2016, the second respondent passed a detention order against the said Ravi @ Kadhukuthu Ravi and detained him under Act 14 of 1982. Till 9.12.2016, the said Ravi @ Kadhukuthu Ravi was being kept in Central Prison, Puzhal, Chennai. But, suddenly, on 10.12.2016, he was transferred to Salem Prison and is being kept in Salem Prison. The said unnecessary transfer will put the said Ravi @ Kadhukuthu Ravi to face life threat while coming for trial in the adverse cases, since he is having many business enemies. In this regard, she sent a representation dated 15.12.2016 to the respondents requesting them to transfer the said Ravi @ Kadhukuthu Ravi from Salem Prison to Central Prison, Puzhal, Chennai. But, the same was not considered so far. Hence, left with no other alternative, the petitioner has filed the present writ petition.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor, who has taken notice on behalf of the respondents.

5. In view of the limited prayer sought for by the petitioner, without going into the merits of the case, the respondents are directed to consider the representation of the petitioner dated 15.12.2016 seeking to transfer the said Ravi @ Kadhukuthu Ravi from Salem Prison, Salem to the Central Prison, Puzhal, Chennai, and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbi
To

1 The Additional Director
General of Police Prisons Egmore Chennai-8

2 The Commissioner of Police
Greater Chennai Office of the Commissioner
of Police Vepery Chennai-7

3 The Superintendent of Prison
Central Prison Puzhal Chennai

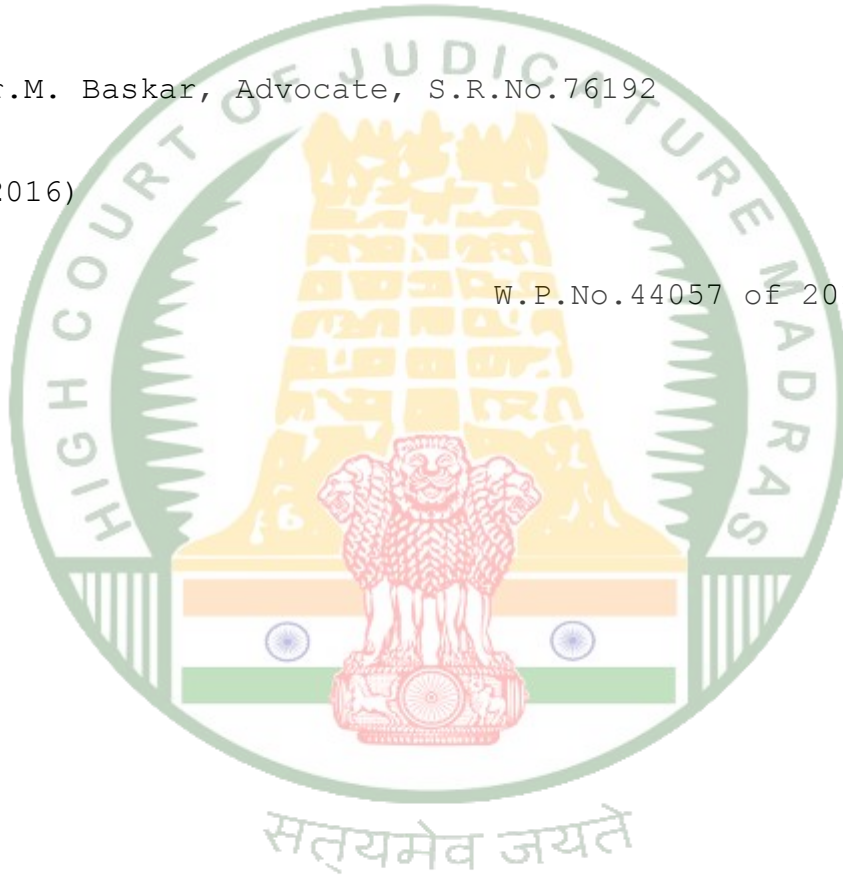
4 The Superintendent of Prison
Salem Prison Salem

5 The Public Prosecutor, High Court, Madras

+lcc to Mr.M. Baskar, Advocate, S.R.No.76192

su(CO)
md(28/12/2016)

W.P.No.44057 of 2016



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