



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2016

CORAM:

THE HON'BLE DR. JUSTICE S.VIMALA

W.P(MD) No.12945 of 2016

WEB COPY

P.Kaliswaran

... Petitioner

-vs-

1. The Additional Director General of Police (Prison)
Thalaimuthu Natarajan Maligai,
Egmore, Chennai-600 008.

2. The Superintendent,
Central Prison,
Tiruchirappalli.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 1st and 2nd respondents to grant Emergency Leave to the petitioner's son, namely, K.Durai @ Mangalanathadurai, S/o.Kaliswaran (Life Convict Prisoner No.10247), who is presently confined at Central Prison, Tiruchirappalli for a period of 2 weeks to look after his mother, who is seriously ill and also to arrange funds for the treatment of his mother.

For Petitioner : Mr.M.Palaniraja

For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to grant Emergency Leave to the petitioner's son, namely, K.Durai @ Mangalanathadurai, S/o.Kaliswaran (Life Convict Prisoner No.10247), who is presently confined at Central Prison, Tiruchirappalli for a period of two weeks to look after his ailing mother.

2. Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3. Heard the learned counsel on either side.

4. The learned Additional Government Pleader would submit that the request of the petitioner for grant of parole to his son has been rejected by the 2nd respondent on 13.07.2016, on the ground that copies of medical records of the prisoner's mother alone have been produced and not the original medical records.

5. Under such circumstances, the petitioner is directed to produce the original medical records of his wife (prisoner's mother) to the 2nd respondent for the purpose of consideration of emergency leave. As the health condition of the prisoner's mother is stated to be critical, the



2nd respondent, on receipt of original medical records from the petitioner, is directed to consider the same and pass appropriate orders with regard to grant of emergency leave to the petitioner's son, namely, K.Durai @ Mangalanathadurai, S/o.Kaliswaran (Life Convict Prisoner No.10247) forthwith.

With the above direction, this petition is disposed of. No costs.
Sd/
Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

To:

1. The Additional Director General of Police (Prison)
Thalaimuthu Natarajan Maligai,
Egmore, Chennai-600 008.
2. The Superintendent,
Central Prison,
Tiruchirappalli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.Palanirajan, Advocate in SR.No.39188
+1cc to Special Government Pleader in SR.No.39413

W.P. (MD) No.12945 of 2016
25.07.2016

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