



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.S.RAVI

WEB COPY

W.P(MD)No.964 of 2016

S.Megala Kumari

.. Petitioner

Vs.

1.The Principal Secretary,
Home Department (Prisons),
State of Tamil Nadu,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Additional Director General of Police
(Prisons) cum The Inspector General of Prisons,
Office of ADGP (Prisons)/I.G of Prisons,
Thalamuthu Natarajar Maaligai, Egmore, Chennai.

3.The Superintendent of Prison,
Madurai Central Prison,
Madurai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to give extension of 10 days to the petitioner's husband by name Saravanapandiyan son of Lakshmanan (C.P.No.3847) in the emergency leave granted to him for attending on his ailing mother as requested in her representation dated 13.01.2016 within the time stipulated by this Court.

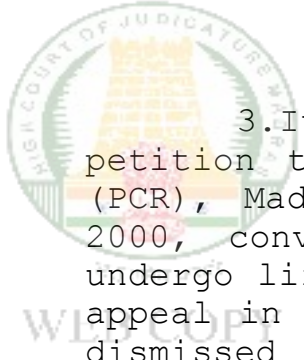
For Petitioner : Mr.S.Malaikani

For Respondents : Mr.Aayiram K.Selvakumar
Government Advocate

ORDER

This writ petition has been filed seeking for issuance of writ of mandamus, to direct the respondents to give extension of emergency leave by 10 days to the petitioner's husband by name Saravanapandiyan, S/o. Lakshmanan (C.P.No.3847) for attending on his ailing mother as requested in her representation, dated 13.01.2016, within the time stipulated by this Court.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate, who takes notice for the respondents and also perused the materials on record.



3.It is stated in the affidavit filed in support of the petition that the Fourth Additional District and Sessions Judge (PCR), Madurai by Judgement, dated 05.10.2001, in S.C.No.161 of 2000, convicted the petitioner's husband and sentenced him to undergo life imprisonment. Challenging the said order, he filed an appeal in C.A.No.1004 of 2001 before this Court and the same was dismissed on 24.11.2008. Thereafter, he had come out on leave without escort by many times and duly reported his return and for his good conduct in the prison, the respondents have granted him numbers of emergency and ordinary leave.

4.It is also stated in the affidavit that the health of the petitioner's mother-in-law is not good and also Pongal festival is nearing and hence, he requested to extend the leave.

5.Considering the facts and circumstances of the case, the writ petition is allowed by giving extension of emergency leave for ten days to the petitioner's husband viz., Saravanapandiyan, S/o.Lakshmanan (C.P.3847) for attending on his ailing mother, as requested by the petitioner, in her representation, dated 13.01.2016. No order as to costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar(CS)

Madurai Bench of Madras High Court,
Madurai.

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To

1.The Principal Secretary,
Home Department (Prisons), State of Tamil Nadu,
Secretariat, Fort St.George, Chennai - 600 009.

2.The Additional Director General of Police
(Prisons) cum The Inspector General of Prisons,
Office of ADGP (Prisons)/I.G of Prisons,
Thalamuthu Natarajar Maaligai, Egmore, Chennai.

3.The Superintendent of Prison,
Madurai Central Prison, Madurai District.

+1cc to Mr.s.Malaikani, Advocate Sr No.2401

W.P (MD) No.964 of 2016
13.01.2016

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