

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.5432 OF 2016

ORDER

The grievance of the petitioner, a life convict who was granted parole, is that his application dated 08.02.2016 seeking extension of his parole has not been disposed of. He seeks a consequential direction to the authorities to do so.

The petitioner was granted parole for a period of thirty days under G.O.Rt.No.45, Home (Legal) Department, Telangana State, dated 07.01.2016. It is his case that his mother is suffering from lungs infection and he therefore needs to attend to her. He applied under his representation dated 08.02.2016 addressed to the Home Minister, Telangana State, by marking a copy thereof to the Principal Secretary, Home (Legal) Department, Secretariat, Telangana State, Hyderabad, the first respondent, seeking further extension of his parole. His grievance presently is that the said representation has not been considered and disposed of till date though the period of extension has come to an end.

Learned Assistant Government Pleader for Home, having received instructions in the matter, informed this Court that the application was still pending consideration before the authority concerned.

In that view of the matter, the petitioner cannot be sent back to prison till his application has been duly considered in accordance with law.

The writ petition is accordingly disposed of directing the first respondent to consider and pass appropriate orders upon the petitioner's representation dated 08.02.2016 seeking extension of his parole expeditiously and in any event, not later than two weeks from the date of receipt of a copy of this order. Pending this exercise, the petitioner shall not be sent back to prison in the light of the law laid down by a Division Bench of this Court in ***MOHD. IRFAN ALI, CONVICT NO.3266 V/s.***

STATE OF TELANGANA^[1].

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

19th FEBRUARY, 2016
PGS

^[1] 2015(1) ALT 1