

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.08.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No.8996 of 2017

B.Adhilakshmi

.. Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Fort.George, Chennai-600 009.

2. The Superintendent of Prison,
Central Prison,
Vellore.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the second respondent to grant one month leave to the petitioner's husband namely Baskar, S/o.Balakrishnan,(Prisoner No.20806) confirmed in Central Prison at Vellore as life convict for past nine years, to put the petitioner's daughter in college and admit the petitioner in hospital.

For Petitioner : Mr.S.Ramajayam
For Respondents : Mr.D.Vairamoorthy,
Special Government Pleader

सत्यमेव जयते
O R D E R

The petitioner seeks for a direction to the second respondent to grant one month leave to her husband namely Baskar, S/o.Balakrishnan(Prisoner No.20806), who is now confined in Central Prison at Vellore as life convict. According to the petitioner, she needs her husband's presence for admitting her daughter in the College as well as on medical grounds.

2.The second respondent in his counter affidavit dated 10.06.2017, has stated that the petitioner's husband shall be eligible for grant of ordinary leave only after the completion of two years i.e., after July 2017.As such, there is no impediment on the part of the second respondent herein to

consider the petitioner's leave application for her husband, at this point of time.

3. In this background, the petitioner is granted liberty to file an application before the second respondent seeking for grant of ordinary leave. On receipt of the same, the second respondent shall pass necessary orders on its own merits within a period of two weeks from the date of receipt of a copy of this order. The second respondent while passing such order, shall take into account the observation made in paragraph No. 2 above.

4. The writ petition stands disposed of, with the above direction. No costs.

Sd/-
Asst. Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

1. The Secretary to Government
Home Department,
Fort. George, Chennai-600 009.
2. The Superintendent of Prison,
Central Prison,
Vellore.

+1cc to Mr. S. Ramajayam, Advocate Sr. 56503
+1cc to the Government Pleader, Sr. 57446

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AR(IV)
VR(16/8/2017)