

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9297 of 2004

Banumathi

...Petitioner

/versus/

1.Union of India

Rep. By Chief Secretary to Govt.
Government of Pondicherry,
Pondicherry,

2. Inspector General of Police,
Government of Pondicherry,
Pondicherry,

3. David,
Chief Superintendent,
Central Prison, Pondicherry

...Respondents

(Dismissed Vide Court order dated 21.06.2007)

Prayer: Writ petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus or any other writ or order or direction in the nature of writ directing the 1st respondent to publish the report in the nature of a Writ of Mandamus or any other writ directing the first respondent to publish the report submitted by Sri. Uthirapathi, (District Judge) in respect of the allegations of conversion in Central Prison Pondicherry.

For Petitioner : G.R. Swaminathan

For Respondents 1 & 2 : Mrs. D. Reena Iswariya
AGP (Pondy)

For Respondent 3 : Dismissed Vide Court order
dated 21.06.2007

O R D E R

The relief sought for in this writ petition is for a direction to the first respondent to publish the report

submitted by one Sri.Uthirapathi, District Judge in respect of the allegations of the conversion in Central Prison at Pondicherry.

2. The Writ Petitioner is the wife of a life convict and was stationed in Central Prison at Pondicherry. The Writ Petitioner who is the wife of the life convict Karuna alias Manoharan has filed this Writ Petition under the pretext that the District Judge has submitted a report and she wants to get a copy of that report.

A perusal of the Type set of papers filed along with the writ petition at Page No.1 shows that the very same writ petitioner earlier filed a Writ petition W.P. No.22757 of 2002, and this Court passed an order on 26.06.2002, to the following the effect:

"In view of the above facts and circumstances, this Court is of the view that the life convict may be permitted to make a representation to the first respondent. The life convict viz., Karuna @ Manoharan Baskar shall make a representation to the first respondent/Inspector General of Prisons, Government of Pondicherry, Pondicherry pertaining to the facts of the writ petition within four weeks from today and the first respondent shall consider and dispose of the same on merit and in accordance with the law with an opportunity for the life convict to be heard in person or by his counsel, within 30 days thereafter".

That a part, the prayer as such sought for by the Writ Petitioner can not be granted in view of the fact that the report prepared and submitted by the District Judge is an official record, which can not be sought for by filing a writ petition and therefore the present writ petition is devoid of merits and accordingly the same is dismissed. There shall be no order as to the costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

lbm/rpa

WEB COPY

To

1.The Chief Secretary to Govt.
Union of India
Govt. of Pondicherry,
Pondicherry,

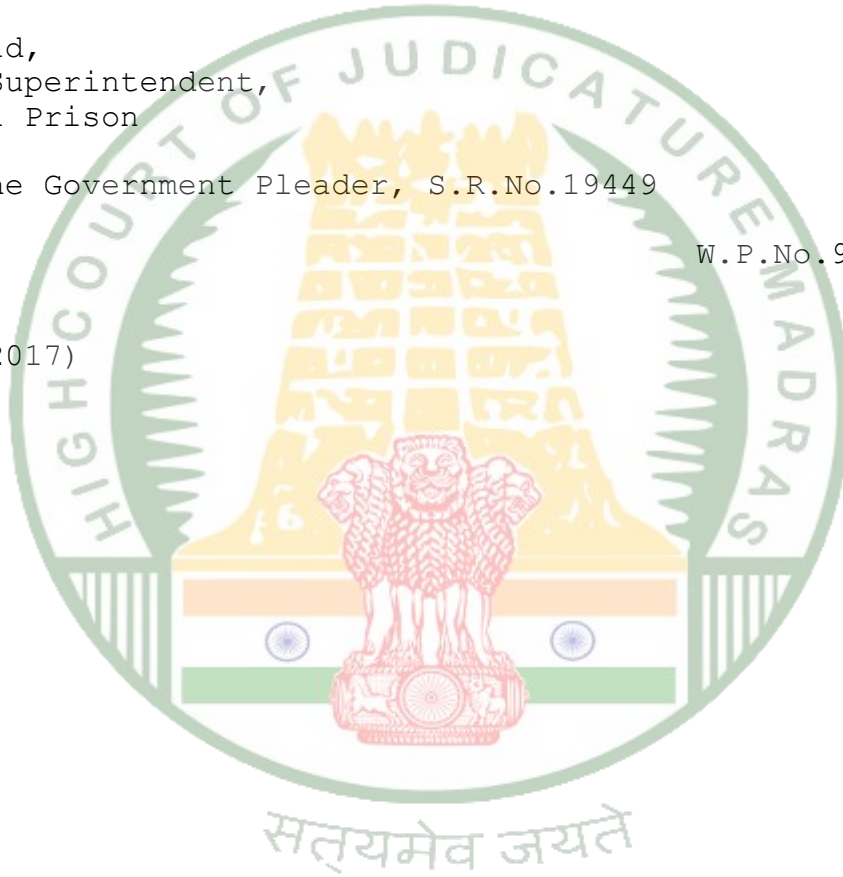
2.Inspector General of Police,
Government of Pondicherry,
Pondicherry,

3.Sri David,
Chief Superintendent,
Central Prison

+1cc to the Government Pleader, S.R.No.19449

W.P.No.9297 of 2004

CA(CO)
RS(25/04/2017)



WEB COPY