

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.03.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU  
and  
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P No.2039 of 2016

Zubaida begum .. Petitioner/Wife of the detenue  
Vs

The State represented by its

1. The Secretary to Government of Tamilnadu,  
Department of Home, Fort St. George,  
Chennai.
2. The Additional Director General of Prison,  
C.M.D.A Towers, Egmore,  
Chennai - 600 008.
3. The Superintendent,  
Central Prison, Coimbatore - 18.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to leave for 30 days to the detenue, Sarfudeen, S/o. P.K.Abdul Salam, aged about 40 years, Convict No.6583, detained at Central Prison, Coimbatore.

For Petitioner: Mr. V.R.Martin Prabha  
for Mr.S.Manoharan

For Respondents: Mr.V.M.R. Rajendran  
Addl. Public Prosecutor

ORDER

(Order of the Court was made by S. NAGAMUTHU,J.,)

The petitioner is the wife of one Sarfudden, who is a life convict, now lodged in Central Prison, Coimbatore. The petitioner has come up with this Habeas Corpus Petition seeking a direction to set her husband at liberty.

2.In paragraph No.7 of the affidavit, it is stated that the petitioner's representation dated 30.06.2016 to the respondents 2 and 3 for leave has not been considered so far. Thus, the grievance appears to be that the request for leave has not been considered by the respondents and therefore, the same has to be considered.

3.Learned Additional Public Prosecutor would submit that the said request was rejected by order dated 24.09.2016.

4.With these narration of facts, we are convinced that if the petitioner is aggrieved by the said rejection order, it is for him to challenge the said order and in this Habeas Corpus jurisdiction, we cannot go into the legality or correctness of the order. Hence, this Habeas Corpus Petition is dismissed.

Sd/-  
Asst.Registrar (J )

/true copy/

Sub Asst. Registrar

av/cse

To

1. The Secretary to Government of Tamilnadu,  
Department of Home, Fort St. George,  
Chennai.
2. The Additional Director General of Prison,  
C.M.D.A Towers, Egmore,  
Chennai - 600 008.
3. The Superintendent,  
Central Prison, Coimbatore - 18.
- 4.The Public Prosecutor,  
High Court, Chennai.

+1cc to Dr.S.Manoharan,sr.15972

pvs (co)  
ss(4/4/2017)

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