

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2017

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE T.MATHIVANAN

H.C.P.Nos.2955 and 2987 of 2013
and
Writ Appeal No.1285 of 2011
and
M.P.No.1 of 2011

H.C.P.Nos.2955 and 2987 of 2013 :
S.Sengodi

.. Petitioner in
both H.C.Ps.

Vs.

1.State of Tamil Nadu,
represented by the Secretary to Government,
Home Department,
Secretariat,
Chennai-600 009.

2.The Additional Director General of Police
and Inspector General of Prisons,
Gandhi Irwin Road,
Egmore, Chennai-600 008.

3.The Superintendent of Prison,
Central Prison,
Trichy-20.

.. Respondents
in both H.C.Ps.

W.A.No.1285 of 2011 :

1.State of Tamil Nadu,
represented by the
Secretary to Government,
Home (Prison IV) Department,
Secretariat, Chennai-600 009.

2.The Additional Director General of Prisons,
Egmore, Chennai-600 008. .. Appellant

Vs.

Thenthamizhan alias Kathiravan
alias Dakshinamoorthi .. Respondent

H.C.P.No.2955 of 2013 : Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, directing the respondents to provide proper medical treatment to the petitioner's father, namely, Thenthamizhan @ Kathiravan, son of Karuppaiya, aged 65 years, convict prisoner, now confined in the Central Prison, Trichy.

H.C.P.No.2987 of 2013 : Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, directing the first respondent to release immediately the petitioner's father, namely Thenthamizhan @ Kathiravan, son of Karuppaiya, aged 65 years, convict prisoner, who is dangerously ill and now undergoing treatment in the Government Hospital, Trichy.

W.A.No.1285 of 2011 : Writ appeal is preferred under Clause 15 of the Letters Patent, against the order of this Court, dated 24.11.2009, made in W.P.No.20511 of 2008.

Prayer in Wp No.20511/2008: This Petition is preferred under Article 226 of the Constitution of India preferred for the issuance of a Writ of Mandamus directing the respondents to that the petitioner as having become eligible for premature release under G.O. (Ms) No.873 Home (Prison IV) Department dated 14.9.2006 and G.O. (Ms) No.1326 Home (Prison IV) Department dated 12.9.2007 and to release the petitioner forthwith.

For Petitioner : Mr.P.Pugalenth
in H.C.P.Nos.2955 and 2987 of 2013

For Appellant : Mr.V.M.R.Rajentran, APP

For Respondents : Mr.V.M.R.Rajentran, APP
in H.C.P.Nos.2955 and 2987 of 2013

Mr.P.Pugalenth in W.A.No.1285 of 2011

COMMON ORDER

[Order of the Court was made by M.JAICHANDREN,J]

Heard the learned counsel appearing on behalf of the

petitioner, in both Habeas Corpus Petition, as well as the learned Additional Public Prosecutor appearing on behalf of the respondents in the Habeas Corpus Petition and on behalf of the appellants in the Writ Appeal.

2 At this stage of the hearing of the Habeas Corpus Petition and the Writ Appeal, the learned counsel appearing on behalf of the petitioner, in the Habeas Corpus Petition, has stated that the detenu, namely Thenthamizhan @ Kathiravan, son of Karuppaiya, had passed away, on 18.1.2017.

3 In view of the submission made by the learned counsel appearing on behalf of the petitioner, in the Habeas Corpus Petition, we are of the view that no further orders are necessary in the Habeas Corpus Petitions, as well as in the Writ Appeal. Hence, both the Habeas Corpus Petitions and the Writ appeal are dismissed, as infructuous. Consequently, connected miscellaneous petition is closed.

sd/

Assistant Registrar

/true copy/

Sub Assistant Registrar

To

- 1.The Secretary to Government,
State of Tamil Nadu,
Home Prison IV Department,
Secretariat,
Chennai-600 009.
- 2.The Additional Director General of Police
and Inspector General of Prisons,
Gandhi Irwin Road,
Egmore, Chennai-600 008.
- 3.The Superintendent of Prison,
Central Prison,
Trichy-20.
- 4.The Public Prosecutor,
High Court, Madras.

H.C.P.Nos.2955 and 2987 of
2013
and Writ Appeal No.1285 of 2011

NRI (CO)
GN(06/03/2017)