



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.05.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P(MD)No.9147 of 2017

and

W.M.P(MD)No.6957 of 2017

U.Periyanayagi

: Petitioner

Vs.

1. The Home Secretary,
Home Prison Department,
Secretariat, Fort St. George,
Chennai - 9.
2. The Additional Director General of Prison,
O/o.The Additional Director General of Prison,
No.1, Gandhi Erwin Road, Egmore, Chennai - 08.
3. The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli.

: Respondents

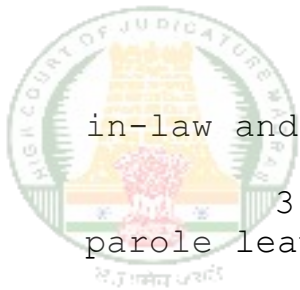
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents to grant Parole leave for a period of one month to the petitioner's husband namely Ulaganathar, son of Aathimoolapandian (C.P.No.2644) confined at Central Prison Palayamkottai, Tirunelveli.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.K.Guru,
Additional Government Pleader.**O R D E R**

The husband of the petitioner is a life convict prisoner and serving sentence in the Central Prison, Tirunelveli. The petitioner has filed this writ petition seeking a writ of mandamus to grant parole leave for a period of one month.

2.According to the petitioner, her husband has to take arrangements for mortgaging the property, which stands in his name, for their family needs and medical expenses of her mother-



in-law and hence her request for parole needs consideration.

3. Even though the petitioner has sought for 30 days parole leave, now she confines the same to three days.

4. On instructions, the learned Additional Government Pleader would submit that if the petitioner is restricting her claim for parole permission only for three days and that too for the emergency, that may be considered by the Court.

5. Taking into consideration the extraordinary situation and the emergency situation, this Court directs the authority concerned to grant parole leave to the husband of the petitioner for a period of three days, only, namely, for 19.05.2017 Friday, 20.05.2017, Saturday and also 21.05.2017 Sunday. He will be released on parole on 19.05.2017 at 08.00 a.m. and he shall be brought back to the prison by 06.30 p.m. on 21.05.2017 itself. Necessary police escort shall be allotted for taking the husband of the petitioner to his place to enable him to take arrangements for mortgage of the property, which stands in his name and he shall be brought back to the prison. The petitioner shall produce all necessary documents, along with a copy of this order, before the jail authorities. During parole, the remand prisoner shall abide all the conditions prescribed in the Jail Manual.

6. The learned Additional Government Pleader points out that for the police escort, the petitioner has to pay escort batta for the parole period. Therefore it is made clear that the authorities concerned, shall provide sufficient escort at the expenditure of the petitioner.

7. With the above direction, the Writ Petition is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Home Secretary,
Home Prison Department,
Secretariat, Fort St. George,



2. The Additional Director General of Prison,
O/o. The Additional Director General of Prison,
No.1, Gandhi Erwin Road, Egmore, Chennai - 08.

3. The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli.

+ 1 CC TO Mr.S.M.A.JINNAH, ADVOCATE IN SR No. 56856

SMN

TE/RSK/SAR-IV : 18/05/2017 : 3P/5C

ORDER MADE IN
W.P(MD)No.9147 of 2017 and
W.M.P(MD)No.6957 of 2017
18.05.2017