

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2018

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE ABDUL QUDDHOSE

W.P. No.9248 of 2018

S.Tamilvendan ... Petitioner

-vs-

1.The State Govt. of Tamil Nadu,
Rep. by its Chief Secretary,
Secretariat, Fort St. George,
Chennai 600 009.

2.The State Govt. of Tamil Nadu,
Rep. by its Home Secretary,
Secretariat, Fort St. George,
Chennai 600 009.

3.The Additional Director of Police
Dept. and Inspector General of Prison,
Tamil Nadu Prison Department,
Whannals Road, Egmore, Chennai 600 009.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to pass an order of promulgating a Government Order for releasing all the prisoners who are sentenced to life imprisonment for more than in jail and who had completed 5 years if they are above 60 years based on representation of the petitioner dated 26.03.2018 and stipulated time may be fixed by this Court.

For Petitioner : Mr.M.Senthilkumar

For Respondents : Mr.T.N.Rajagopalan
Govt. Pleader

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O R D E R
(Made by Ms.Indira Banerjee, Chief Justice)

This writ petition purportedly in public interest has been filed by a practising advocate seeking a writ of mandamus directing the respondents to pass an order for release of all prisoners sentenced to life imprisonment who have been in jail for over five years and are above 60 years of age.

2.This Court cannot, in exercise of power under Article 226 of the Constitution of India, pass such orders which amount to direct encroachment into the legislative and executive arena. It is not for this Court entertaining a public interest litigation to determine and/or to frame policy issues.

The writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The Chief Secretary to Govt. of Tamil Nadu,
Secretariat, Fort St. George,
Chennai 600 009.
- 2.The Home Secretary to Govt. of Tamil Nadu,
Secretariat, Fort St. George,
Chennai 600 009.
- 3.The Additional Director of Police
Dept. and Inspector General of Prison,
Tamil Nadu Prison Department,
Whannals Road, Egmore, Chennai 600 009.

+1cc to Government Pleader in sr.no.31899

W.P.No.9248 of 2018

ssi(co)
nr 07/06/2018