

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2018

CORAM:

THE HON'BLE **MRS. JUSTICE S.VIMALA**

AND

THE HON'BLE **MRS. JUSTICE S.RAMATHILAGAM**

H.C.P.No.1089 of 2018

Thiruselvi

... Petitioner

versus

1. The State of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Fort St. George,
Chennai – 600 009.

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

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

... Respondents

Habeas Corpus Petition filed under Article 226 of Constitution of India. for the issuance of Writ of Habeas Corpus, directing the respondents to forthwith produce the petitioner's father, namely, A.Ulaganath, Son of Adhimoola Pandian, convict No.2644, confined at Central Prison, Palayamkottai before this Court and set him at liberty by directing the respondents to pass necessary orders for premature release of the petitioner's father based on the Government Letter (Ms) No.1358, Home Department, dated 10.11.1994.

For Petitioner : Mr.K.Selvaraj
For Respondents : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER
(DELIVERED BY MRS. S.VIMALA, J.)

The Habeas Corpus Petition has been filed by the daughter of the detenu seeking a direction to the respondents to pass necessary orders on her representation dated 23.01.2016, for premature release of her father/detenu, based on the Government Letter (Ms) No.1358, Home Department, dated 10.11.1994.

2. It is the case of the petitioner that her father Ulaganathan has been convicted under Section 302 IPC by the learned Sessions Judge, Tirunelveli, in S.C.No.59 of 1981 on 04.08.1981 and he is in custody for more than 20 years.

3. According to the petitioner, as per G.O.Ms.No.64, dated 01.02.2018, her father is eligible for consideration of premature release. Therefore, the detenu has made a representation to the respondent dated 23.01.2016, for consideration of premature release.

4. The learned Additional Public Prosecutor submitted that the jail

authorities have forwarded the request of the detenu to the Government and the same is under consideration.

5. Under such circumstances, the first respondent is directed to consider the representation of the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the Habeas Corpus Petition is disposed of.

(S.V.J.) (S.R.T.J.)

03.07.2018

Index : Yes/No

Internet : Yes/No

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To

1. The Secretary,
Home Department,
Fort St. George,
Chennai – 600 009.

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

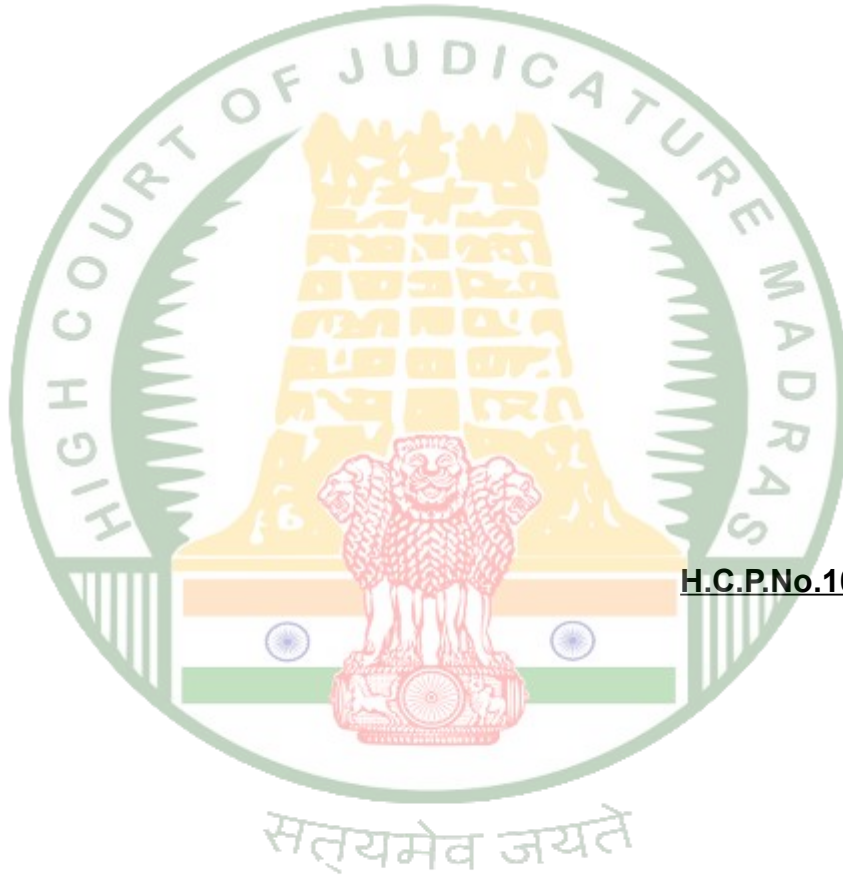
3. The Superintendent of Central Prison,
Palayamkottai,
Tirunelveli District.

MRS.S.VIMALA, J.,

AND

S.RAMATHILAGAM, J.

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