



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P.(MD).No.6537 of 2018

K.Muthulakshmi : Petitioner

Vs.

1.The Additional Director General of Police (Prisons)
Gandhi Irwin Road,
Egmore,
Chennai.

2.The Superintendent of Central Prison,
Central Prison,
Trichy District.

: Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order dated 12.03.2018 in Na.Ka.No.4245 / Tha.Ku.4/ 2018 issued by the second respondent and quash the same.

For Petitioner : Mr. M. Subash Babu
For respondents : Mr. K.K. Ramakrishan
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to call for the records of the impugned order, dated 12.03.2018 in Na.Ka.No.4245 / Tha.Ku.4/ 2018 issued by the second respondent and quash the same.

2. According to the petitioner, he made a request to the second respondent for granting a leave, by way of parole, for the period of 30 days, on the ground that the petitioner's mother was admitted in the hospital. The said representation was rejected by the third respondent stating that there is no provision for granting of leave for 30 days and also no medical certificates furnished along with the application.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that if the petitioner is specified the reason for the emergency leave as provided under the Rules, the second respondent will consider the same in accordance with the Rules. <https://hservices.ecourts.gov.in/hservices/> he further submitted that the petitioner has not furnished the medical certificate along with the said representation.



4. The learned counsel appearing for the petitioner fairly submitted that a fresh application will be filed today itself, before the second respondent for the emergency leave as per the provision of the Tamil Nadu Suspension of Sentence Rules, by furnishing the necessary documents.

5. Considering the submission made by both sides, this Court is inclined to pass the following direction:-

"The petitioner is directed to make necessary representation to the second respondent today (09.04.2018) itself before 6.00 p.m., and on receipt of such representation, the second respondent shall consider the same and if they satisfied with the reasons stated in the application, shall pass appropriate orders on merits on or before 11.04.2018."

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1.The Additional Director General of Police (Prisons)
Gandhi Irwin Road, Egmore, Chennai.

2.The Superintendent of Central Prison,
Central Prison, Trichy District.

+1CC to Mr.M.Subash Babu, Advocate, SR.No. 60376

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