



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.05.2018

CORAM

WEB COPY

THE HON'BLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.11198 of 2018

N.Kumaresan

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. By the Secretary to Government,
Home (Prison IV) Department,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The Additional Director General of Prison,
Egmore,
Chennai - 600 008.
- 3.The Superintendent,
Central Prison,
Vellore.
- 4.The Superintendent,
Central Prison,
Madurai.
- 5.The Inspector of Police,
B.1, Vilakkuthoon Police Station,
Madurai.
(Crime No.1437 of 1989)

... Respondents

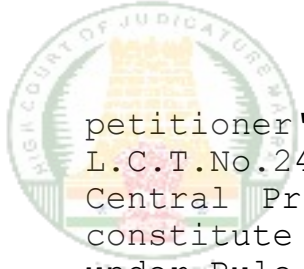
PRAYER:- Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to transfer petitioner's uncle Azhakar @ Palazhkar, S/o. Chithayya, L.C.T.No.24503 aged 57 years from Vellore Central Prison to Madurai Central Prison and consequently direct the respondents 1 to 4 to constitute and place petitioner's uncle before the advisory board under Rule 341 of Tamil Nadu Prison Rules, 1983.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.M.Murugan,
Government Advocate.

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the respondents 1 to 3 to transfer



petitioner's uncle Azhakar @ Palazhkar, S/o. Chithayya, L.C.T.No.24503 aged 57 years from Vellore Central Prison to Madurai Central Prison and consequently direct the respondents 1 to 4 to constitute and place petitioner's uncle before the advisory board under Rule 341 of Tamil Nadu Prison Rules, 1983.

2.By consent of both counsels, this writ petition is taken up for final disposal.

3.The learned counsel appearing for the petitioner submitted that instead of going into the merits of the matter, it would be suffice to direct the third respondent to consider the petitioner's representation, dated 14.05.2018 and pass orders in accordance with law within a time frame.

4.In view of the submission made by the learned counsel appearing for the petitioner, there shall be a direction to the third respondent to consider the petitioner's representation on its own merits and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner and to any other person who may be interested in the subject matter.

5.With the above observation, this writ petition stands allowed. No costs.

Sd/-
Vacation Officer

/True copy/

Sub Assistant Registrar

To

1.The Secretary to Government,
Home (Prison IV) Department,
Government of Tamilnadu,
Secretariat, Fort St. George,
Chennai - 600 009.

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

3.The Superintendent,
Central Prison,
Vellore.

4.The Superintendent,
<https://hcservices.ecourts.gov.in/hcservices/>
Central Prison,
Madurai.



5.The Inspector of Police,
B.1, Vilakkuthoon Police Station,
Madurai.

+1cc to Mr.R.Venkatesan, Advocate, Sr.No.65787.

+1cc to Special Government Pleader, SR.No.65917.

W.P (MD) No.11198 of 2018
16.05.2018

ps/pnn

RAM/RSK SKN/SAR 4/23.05.2018/3P/8C