



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.17025 of 2018

WEB COPY

Rakku

... Petitioner

-Vs-

1.State of Tamilnadu,
Rep. by the Principal Secretary to Government,
Home (Prison V) Department,
Secretariat, Fort St, George, Chennai - 9.

2.The Additional Director General of Police,
Inspector General of Prison,
No.1, Gandhi Irwin Salai,
Egmore, Chennai - 8.

3.The Superintendent of Prison,
Madurai Central Prison,
Madurai - 625 016.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents to treat the petitioner's husband namely Kumar, S/o.Karuppaiah (C.P.No.3825) as having become eligible for the premature release by G.O.(Ms).No.1155, Home Department, dated 11.09.2008 and G.O.(Ms).No.64, Home (Prison - IV) Department, dated 01.02.2018 and release him forthwith vide the Judgment made in W.P. (MD).No.20511 of 2008, dated 24.11.2009.

For Petitioner : Mr.C.Mayil Vahana Rajendran

For Respondents : Mr.B.Bhagawathi,
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed seeking for a direction to the respondent to consider the representation made by the petitioner for premature release of her husband who is under going life imprisonment.

2.It is seen from the records that the petitioner's husband is a life convict and is presently undergoing imprisonment at Central Prison, Madurai. The learned counsel for the petitioner would submit that the petitioner's husband has undergone imprisonment for more than 18 years. Therefore, the petitioner made a representation, dated 30.06.2018 to all the respondents seeking for premature release of her husband. Since the same has not been considered, the present Writ petition has been filed before this Court.



3. In view of the limited remedy sought for by the petitioner, there shall be a direction to the first respondent to consider the representation, dated 30.06.2018, made by the petitioner seeking for premature release of her husband who is undergoing life imprisonment at Central Jail, Madurai and pass appropriate orders in accordance with law by taking into consideration the earlier orders passed by this Court, within a period of four weeks from the date of receipt of a copy of this order.

4. Accordingly, this Writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Principal Secretary to Government,
Home (Prison V) Department,
Secretariat, Fort St, George,
Chennai - 9.
2. The Additional Director General of Police,
Inspector General of Prison,
No.1, Gandhi Irwin Salai,
Egmore, Chennai - 8.
3. The Superintendent of Prison,
Madurai Central Prison,
Madurai - 625 016.

+1CC to Mr.C.Mayil Vahana Rajendran, Advocate, SR.No.92993

W.P. (MD) No.17025 of 2018
29.10.2018

DSK

ES/PM/SAR 2/22.11.2018/2P/5C