

**THE HONOURABLE SRI JUSTICE A.V.SESHA SAI**

**WRIT PETITION No.41423 of 2018**

**ORDER:**

The petitioner herein is a life convict vide judgment, dated 27.08.2014 in S.C.No.403 of 2008 on the file of the learned Additional Metropolitan Sessions Judge, Cyberabad, L.B.Nagar, Hyderabad. Against the said Order of conviction, he preferred Criminal Appeal No.950 of 2014 and the same is pending before this Court. Earlier, on the representation made by the petitioner herein, the State Government granted parole for a period of 30 days vide G.O.Rt.No.1366, dated 18.09.2018, and the petitioner was released from jail on 20.09.2018. According to the petitioner, he subsequently made a representation on 22.09.2018 to extend the parole for another 30 days and the first respondent issued another Order vide G.O.Rt.No.1450, dated 04.10.2018, granting extension of parole for another period of 30 days and the same is going to expire by 20.11.2018. Now, by way of the present Writ Petition, a direction is being sought for to extend the parole period for another 30 days and the reason shown by the petitioner in the writ affidavit is that he has an elder brother namely G.Venkatesh, who is suffering from Ureteric Colic, a Urinary disease, and there is no other family member to take care of him and that he is the only person to look after him.

When the matter is taken up, an objection is taken by the learned Government Pleader that without filing any application before the State Government, the petitioner herein directly approached this Court under Article 226 of the Constitution of India, as such the present Writ Petition is not maintainable.

Having heard the learned Counsel and the learned Government Pleader, this Court deems it appropriate to dispose of the Writ Petition, leaving it open to the petitioner herein to make an appropriate application before the concerned authority/respondent No.1 within a period of two days from today and with a further direction to the respondent No.1 to consider the said application, if the same is filed, and take appropriate action, strictly in accordance with law, within a period of one week thereafter.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed. No order as to costs.

Date:19.11.2018

**JUSTICE A.V.SESHA SAI**

**NOTE:** Issue order copy today.  
(B/o.smr)

