

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.2483 of 2019

Anees Unnisha

... Petitioner

Vs.

1. The Deputy Inspector General of Prison,
Prison Department,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.

2. The Superintendent of Police,
Central Prison,
Puzhal - III, Chennai

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to property grant 15 days emergency leave to the husband of the petitioner Sathiq Basha S/o Saleem Basha presently held at Central Prison, Vellore, in order to save the life of my seriously ailing father in law.

For Petitioner: Mr.R.Rajan

For Respondents: Mr. M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed to issue a Writ of Mandamus directing the respondent to grant 15 days emergency leave to the husband of the petitioner Sathiq Basha S/o Saleem Basha presently held at Central Prison, Vellore, in order to save the life of my seriously ailing father in law.

2. It is seen the petitioner's husband was convicted by an order dated 24.07.2018 in C.C.No.45 of 2015 under NDPS Act by the learned Principal Special Judge, Chennai and sentenced to 10 years rigorous imprisonment and fine of Rs.10 lakhs. It is also seen that the husband of the petitioner filed appeal and it is pending before this Court. Therefore the petitioner has to approach the Appeal Court for seeking suspension of sentence or other as wishes by the petitioner. Therefore, this petition is not maintainable.

3. With the above observation, this writ petition is dismissed. No costs.

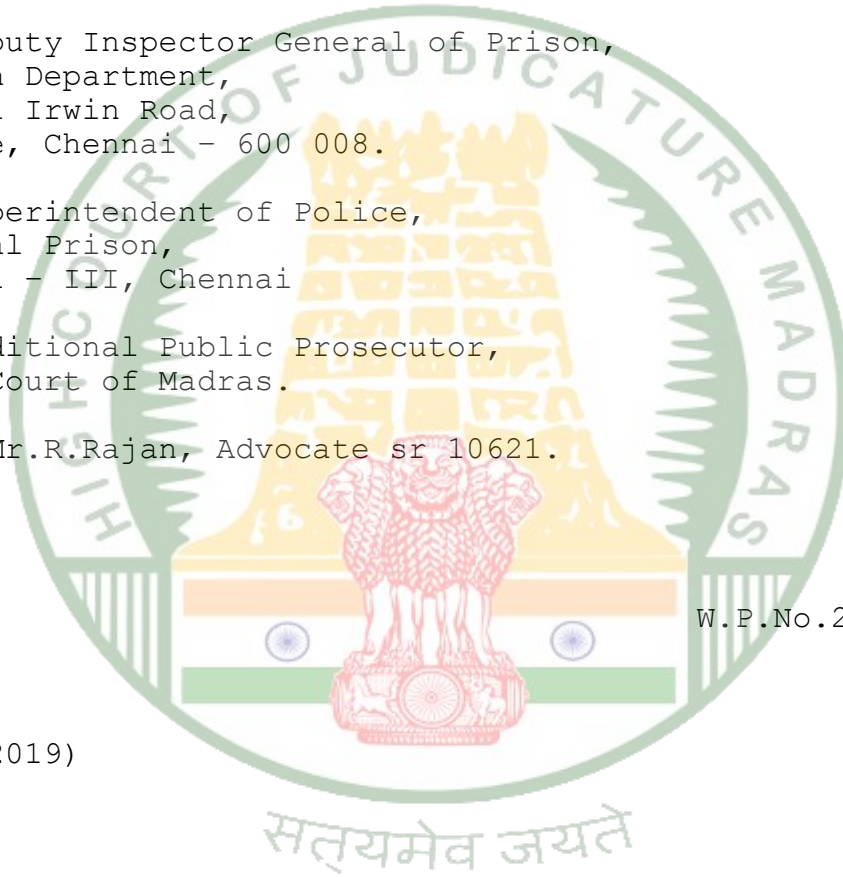
-s/d-
Deputy Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Deputy Inspector General of Prison,
Prison Department,
Gandhi Irwin Road,
Egmore, Chennai - 600 008.
 2. The Superintendent of Police,
Central Prison,
Puzhal - III, Chennai
 3. The Additional Public Prosecutor,
High Court of Madras.
- +1 Cc to Mr.R.Rajan, Advocate sr 10621.



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SP(14/02/2019)

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