

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2019

CORAM :

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.6416 of 2019

A.M.Bhaskar

... Petitioner

Vs.

- 1.Principal Secretary/Secretary In-Charge of Prisons
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009
- 2.Inspector General of Prisons
(Head of Prisons Department)
Tamil Nadu Prison Department,
Whannels Road, Egmore, Chennai-600 008
- 3.Director Probation Services/Chief Probation
Superintendent
CMDA Tower-II, No.1 Gandhi Irwin Road,
Egmore, Chennai-600 008
- 4.Superintendent of Prisons
Central Prison Puzhal-I
Chennai-600 066

... Respondents

PRAYER- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 26.01.2019, received by the respondent on 28.01.2019, within a time frame fixed by this Court.

For Petitioner : Mr.M.Kempraj

For Respondents: Mr.C.Raghavan
Government Advocate

ORDER

This writ petition has been filed seeking a direction to the respondents to consider the representation of the petitioner dated 26.01.2019 and pass orders within a time frame to be fixed by this Court.

2. The learned counsel for the petitioner submitted that the father of the petitioner was convicted for an offence punishable

under the Prevention of Corruption Act, 1988 and was sentenced to undergo rigorous imprisonment for two years. This judgment was confirmed in appeal and was further confirmed by the Hon'ble Supreme Court by dismissal of the S.L.P. No.3419 of 2019, by order dated 23.04.2018.

3. The learned counsel further submitted that the petitioner's father has already suffered imprisonment for nearly one year and four months out of two years. The petitioner's father, who is suffering imprisonment, is aged about 72 years and is suffering from various ailments. Learned counsel submitted that a representation was made to the Chairman and members of the State Sentence Review Board, seeking premature release of the petitioner's father, as per the prison manual. In spite of the representation, no orders have been passed till date and therefore, the present writ petition has been filed before this Court.

4. The learned Government Advocate submitted that a time frame may be fixed by this Court for consideration of the representation made by the petitioner and the same will be considered in accordance with law.

5. Taking into consideration the limited scope of the relief sought for by the petitioner, there shall be a direction to the State Sentence Review Board to consider the representation dated 26.01.2019, made by the petitioner, seeking premature release of the convict, strictly in accordance with law, within a period of two (2) weeks from the date of receipt of copy of this order. This writ petition is disposed of with the above directions. No costs.
ska

Sd/-
Assistant Registrar (CS III)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

To

1. Principal Secretary/Secretary In-Charge of Prisons
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Secretariat, Chennai 600 009
2. Inspector General of Prisons
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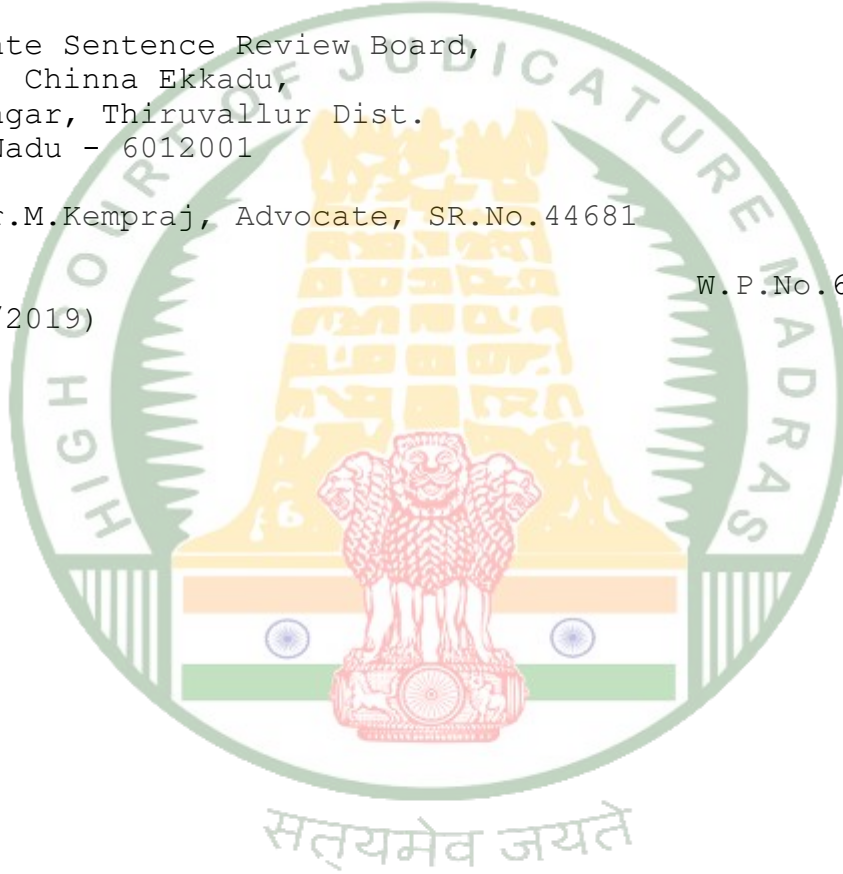
5. The District Collector,
Thiruvallur.

6. The State Sentence Review Board,
NH-205, Chinna Ekkadu,
Jaya Nagar, Thiruvallur Dist.
Tamil Nadu - 6012001

+1cc to Mr.M.Kempuraj, Advocate, SR.No.44681

W.P.No.6416 of 2019

Kak(19/06/2019)



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