

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.2089 of 2018

C.Chandra
W/o.(Late) Chithiravelu

... Petitioner

Vs

1. The State of Tamil Nadu
Rep.by Secretary to Government
Home (Prison IV) Department,
Fort St.George,
Chennai 600 009.
2. The Additional Director General of Police,
Gandhi Irwin Salai Egmore
Chennai 600 085.
3. The Superintendent of Central Prison,
Puzhal (Convict Prisoners Cell),
Central Prison Puzhal - I
Chennai 600 066.
4. The Superintendent of Prison
Cuddalore (Convict Prisoners Cell)
Central Prison Cuddalore
Cuddalore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus calling for the records from the respondents who are trying to re-transfer the petitioner's son Suresh from Chennai Puzhal to Cuddalore Cnetral Prison and direct the respondents to keep the petitioner's son Suresh in Central Prison Puzhal-1 till his tenure is over and produce the body of the detenu before this Court.

For Petitioner : M/s.R.Vivekananthan

For Respondents: Mr.R.Prathap Kumar
Additional Public Prosecutor

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to call for the records from the respondents and direct them to keep the petitioner's son Suresh in Central Prison Puzhal-1 till his tenure is over and produce the body of the detenu before this Court.

2. It is averred in the petition that the son of the petitioner, by name, Suresh, has been sentenced to undergo imprisonment for life and now he has been housed in Central Prison, Cuddalore. Further it is averred that the petitioner's son Suresh/life convict has been suffering from severe Ortho bone problem in his spinal cord and took treatment at Cuddalore Government Hospital. Due to lack of medical facilities the speciality Doctors advised to give further treatment in Chennai. As suggested by the Doctors, the Superintendent of Central Prison, Cuddalore transferred the petitioner's son Suresh/life convict from Cuddalore Central Prison to Chennai Central Prison, Puzhal. Since the petitioner's son had been admitted at Rajiv Gandhi Government General Hospital, Chennai for treatment, the petitioner/mother shifted her residence permanently to Chennai. Under such circumstances, the present petition has been filed for getting the relief sought therein.

3. The learned Additional Public Prosecutor appearing for the respondents submitted a report from the Tamil Nadu Prison Department No:1255/R1/2019 dated 11.12.2019 in which it was stated that since the medical treatment has been completed, the prisoner/Suresh was shifted back to Central Prison, Cuddalore on 07.12.2018.

4. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing for respondents. Perused the materials on record.

5. It is seen that since the medical treatment has been completed, the said Suresh/life convict has already been transferred to Cuddalore Central Prison on 07.12.2018, hence nothing survives for adjudication. Accordingly, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The State of Tamil Nadu
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Chennai 600 009.
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Central Prison Cuddalore
Cuddalore District.
- 5.The Superintendent of Central Prison,
Puzhal, Chennai.
- 6.The Public Prosecutor,
High Court, Madras.

RP(CO)
CB(30/01/2020)

H.C.P.No.2089 of 2018

सत्यमेव जयते

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