

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 17208 of 2018
and WMP. Nos. 20476 & 20477 of 2018

N. Saravanan

...Petitioner

-Vs-

1. The Directorate of Prison
Tamil Nadu Department of Prisons
Egmore, Chennai -8.

2. The Superintendent of Prisons
Central Prison, Puzhal,
Chennai -66.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to allot class A facilities to the petitioner in the prison as per privilege given in Volume 1 226 (iii) of Tamil Nadu Prison Manual by considering representation dated 13.12.2017 and 26.06.2018.

For Petitioner : No Appearance

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

The prayer sought for in the petition is to direct the respondents to allot class A facilities to the petitioner in the prison as per privilege given in Volume 1 226 (iii) of Tamil Nadu Prison Manual by considering representation dated 13.12.2017 and 26.06.2018.

2. No Appearance for the learned counsel for the petitioner. Heard the learned Additional Public Prosecutor appearing for the respondents.

3. It is stated in the petition that the petitioner was serving as Constable in Border Security Force and he was

dismissed from service on 20.07.2006 and sentenced to life for punishable offence under Section 302 of IPC by the GSFC on the issue of 1 at BOP Daoke near BP No. 113 /12 on 05.08.2005 by firing shots at No. 994001542 Constable Phurba Yalmo of same Battalion and caused death. It is further stated that the petitioner had approached the Supreme Court in SLP (c) No. 5298 of 2015 and obtained an order dated 05.05.2016 directing the Director General of BSF to dispose of his petition. The petitioner has also made detailed representations to the respondents dated 13.12.2017 and 26.06.2018. Seeking directions to the respondents on the said representations, the present writ petition has been filed.

4. Considering the facts and circumstances, this Court without going into the merits of the case, directed the 2nd respondent police to consider the petitioner's representations dated 13.12.2017 and 26.06.2018 on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above directions, the writ petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The Directorate of Prison
Tamil Nadu Department of Prisons
Egmore, Chennai -8. सत्यमेव जयते
2. The Superintendent of Prisons
Central Prison, Puzhal, Chennai -66.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Chandran, Advocate, S.R.No.31411

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CS/27/06/2019