

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.30378 of 2019

Jithendra Begra

...Petitioner

Vs.

1. The State of Tamil Nadu,
Rep by its Secretary to Government,
Home Prison Department (IV),
Fort St.George, Secretariat,
Chennai - 600 009.
2. The State of Odisha,
Rep by Home Secretary,
Secretariat, Bhubaneshwar,
Odisha,
3. The Additional Director General of Police (Prison),
The Inspector General of Prisons,
C.M.D.A. Tower - II, No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
4. The Additional Director General of Police
- cum- Inspector General of Prisons,
Odisha, Bhubaneswar, District Khurda,
Odisha.
5. The Deputy Inspector General of Prisons,
O/o. The Additional Director General of Police (Prison) /
The Inspector General of Prisons,
C.M.D.A. Tower - II, No. Gandhi Irwin Road,
Egmore, Chennai - 600 008.
6. The Superintendent of Prison,
Puzhal Central Prison - I,
Puzhal - I, Chennai - 600 066.
7. The Superintendent of Prison,
Chowdar Central Prison,
Cuttack, State of Odisha.

...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 representations dated 27.07.2019 and 14.09.2019 of the petitioner and transfer the petitioner from the 6th respondent Central Prison to the 7th respondent Central Prison.

For Petitioner : M/s.Samanta and Ston

For Respondents : Mrs.V.Saratha Devi
Government Advocate (Crl.Side)

O R D E R

The petitioner herein, who has been convicted and lodged in the Central Prison, Puzhal - 1, Chennai, seeks for a transfer of his custody to a prison in the State of Odisha, on the ground that his family is in Odisha and they are unable to meet him in prison.

2. In this connection, the petitioner has given representations to all the respondents herein including the 5th respondent. Since the issue relates to inter-state transfer of a prisoner, it would be appropriate that the petitioner's request be considered by the respondents, in accordance with law and this Court may not be justified in passing an order for the relief sought for by the petitioner.

3. In the light of the observations, there shall be a direction to the 5th respondent herein to consider the petitioner's representations dated 27.07.2019 and 14.09.2019 on its own merits and pass appropriate orders, as expeditiously as possible, in any event, within a period of three months from the date of receipt of a copy of this order.

4. Accordingly, this Writ Petition stands disposed of. No costs.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

jas/hvk

To

- 1.The Secretary to Government,
Home Prison Department (IV),
Fort St.George, Secretariat,
Chennai - 600 009.
- 2.The Secretary,
Secretariat, Bhubaneshwar,
Odisha,
- 3.The Additional Director General of Police (Prison),
The Inspector General of Prisons,
C.M.D.A. Tower - II, No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
- 4.The Additional Director General of Police
- cum- Inspector General of Prisons,
Odisha, Bhubaneswar, District Khurda,
Odisha.
- 5.The Deputy Inspector General of Prisons,
O/o.The Additional Director General of Police(Prison)/
The Inspector General of Prisons,
C.M.D.A. Tower - II, No. Gandhi Irwin Road,
Egmore, Chennai - 600 008.
- 6.The Superintendent of Prison,
Puzhal Central Prison - I,
Puzhal - I, Chennai - 600 066.
- 7.The Superintendent of Prison,
Chowdar Central Prison,
Cuttack, State of Odisha.
8. The Public Prosecutor,
High Court of Madras.

+1 CC to M/s. Samantha & Ston, sr 90064.

NMI (CO)
SP(18/11/2019)

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