

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2019

CORAM

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

H.C.P.No.2480 of 2019

Ayisha Parven
W/o.Mohamed Jakir

... Petitioner/wife of detenue

Vs

1.State by:

Director General of Police and
I.G. of Prisons,
Gandhi Irwin Road,
Egmore, Chennai - 600008.

2.The Superintendent of Prison,
Central Prison, Vellore.

3.The Superintendent of Prison,
Central Prison-1, Puzhal,
Chennai - 600066.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents to produce the petitioner's husband viz., Mohammed Jakir S/o.Muthu Mohammed, aged 51 years, Convict No.14681, now confined at Central Prison, Vellore, before the Hon'ble Court and direct re-transfer from Central Prison, Vellore, to the Central Prison - 1, Puzhal, Chennai - 66.

For Petitioner : Mr.P.Pugalenth

For Respondents: Mr.R.Prathap Kumar

Additional Public Prosecutor

O R D E R

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

Petitioner, who is the wife of Mohammed Jakir S/o.Muthu Mohammed, aged 51 years, Convict No.14681, has filed the present petition seeking a direction to respondents to transfer her husband from Central Prison, Vellore, to Central Prison - 1, Puzhal, Chennai - 66.

2. Learned counsel for petitioner submits that the petitioner's husband was convicted for offences u/s.8(c) r/w 29 (1) and 28 of NDPS Act and sentenced to 10 years R.I. under judgment in C.C.No.28 of 2016 and presently, confined at Central Prison, Vellore. Petitioner and her children are residing at Chennai. Petitioner's husband is suffering from Varicose disease. Since her husband is confined at Central Prison, Vellore, she finds it difficult to meet him and hence, she submitted a representation dated 21.10.2019 to respondents seeking transfer of her husband from Central Prison, Vellore, to Central Prison - 1, Puzhal, Chennai - 66. But, no action was taken on such representation. Hence, the present petition has been filed seeking the aforesaid relief.

3. Heard learned Additional Public Prosecutor appearing for respondents on the above submissions.

4. Considering the submissions made as also taking note of the fact that no action has been taken on the petitioner's representation, this Court directs the petitioner to submit a fresh representation to respondents within a period of two weeks from the date of receipt of this order and on receipt of the same, the respondents shall pass orders on merits and in accordance with law within a period of two weeks thereafter.

The Habeas Corpus Petition is disposed of with the above direction.

सत्यमेव जयते

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

gm

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To

1.The Director General of Police and
I.G. of Prisons,
Gandhi Irwin Road,
Egmore, Chennai - 600008.

2.The Superintendent of Prison,
Central Prison, Vellore.

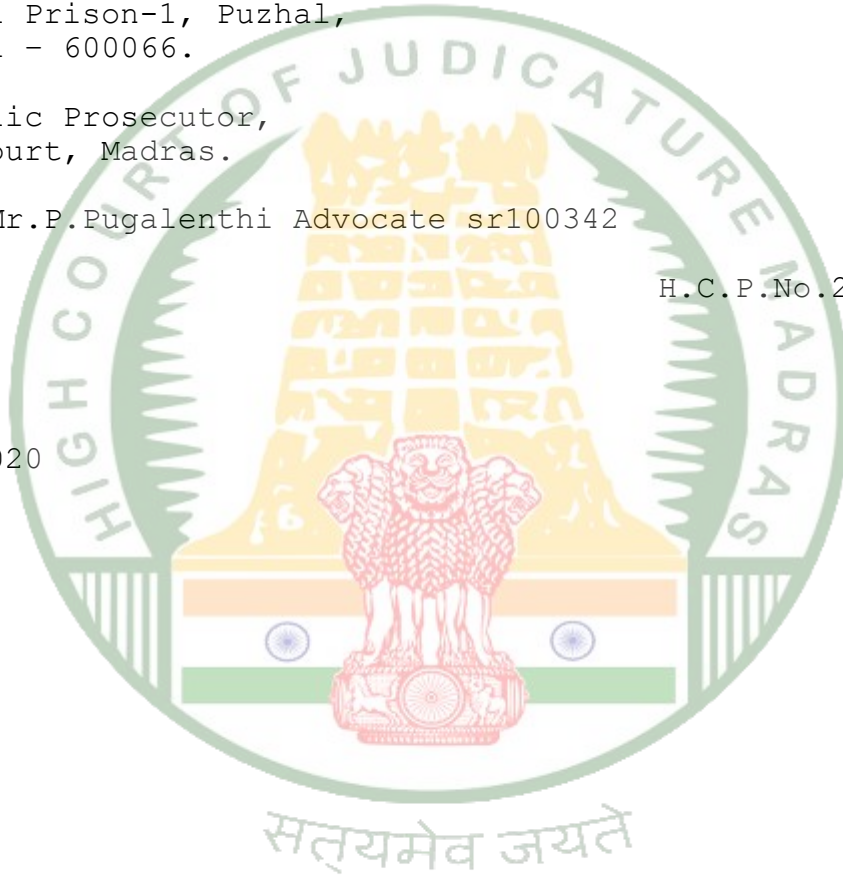
3.The Superintendent of Prison,
Central Prison-1, Puzhal,
Chennai - 600066.

4.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.P.Pugalethi Advocate sr100342

H.C.P.No.2480 of 2019

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