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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2019

CORAM

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

H.C.P.No.2839 of 2019

Palanisamy
S/o.Kumarasamy

... Petitioner

Vs

1.The Additional Director General of Prison,
State Prisons Head Quarters,
Egmore, Chennai - 600008.

2.The Superintendent of Prison,
Central Prison- I,
Puzhal, Chennai - 600066.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing respondents herein to provide Special Class facilities ('A' Class) in the Central Prison I, Puzhal, to the petitioner herein (C.P.No.6511) on the basis of the petitioner's representation dated 08.08.2019.

For Petitioner : Mr.G.Pavendhan

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 petition has been filed seeking a direction to respondents herein to provide Special Class facilities ('A' Class) in the Central Prison I, Puzhal, to petitioner (C.P.No.6511) on the basis of the petitioner's representation dated 08.08.2019.



2. Learned counsel for petitioner submits that petitioner was convicted for an offence u/s.364(A) r/w 149 IPC and sentenced to life imprisonment and fine of Rs.1,000/- i/d 3 months in S.C.No.135 of 2014 under judgment dated 09.12.2016 by learned V Additional Sessions Judge, Chennai. Petitioner is presently confined at Central Prison I, Puzhal, Chennai. Petitioner submitted a representation dated 17.12.2018 to second respondent requesting to provide Special Class Facilities ('A' Class) in the prison on the ground that he is a graduate. Since no action was taken, petitioner submitted another representation dated 08.08.2019 to the second respondent, which is also pending. Hence, the present petition has been filed seeking the aforesaid relief.

3. Heard learned Additional Public Prosecutor on the above submissions.

4. Though the petitioner sought for a direction to respondents to provide special class facilities ('A' Class) in the prison, this Court is not inclined to issue any positive direction. However, considering the fact that the petitioner's representation are pending on the file of second respondent, this Court directs the second respondent to consider the same and issue necessary directions in accordance with law within a period of four weeks from the date of receipt of this order.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Additional Director General of Prison,
State Prisons Head Quarters,
Egmore, Chennai - 600008.

2.The Superintendent of Prison,
Central Prison- I,
Puzhal, Chennai - 600066.



3.The Public Prosecutor,
High Court, Madras.

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+1cc to Mr.G.Pavendhan, Advocate Sr.104309

H.C.P.No.2839 of 2019

gmr[col]
srg 21/01/2020