



WEB COPY

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.2560 of 2019

Evelyn Genela
W/o.C.Selvam

... Petitioner

Vs

1.State of Tamil Nadu
represented by the
Secretary to Government,
Home Department,
Secretariat, Chennai - 600009.

2.The Additional Director General of Police
and Inspector General of Prisons,
Gandhi-Irwin Road,
Egmore, Chennai - 600008.

3.The Superintendent of Prisons,
Central Prison,
Coimbatore - 18.

4.The Superintendent of Prisons,
Central Prison, Trichy - 20.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing respondents to produce the petitioner's husband viz., Selvam S/o.Chinna Durair, aged 51 years, now confined at Central Prison, Coimbatore, before this Court and direct re-transfer him from Central Prison, Coimbatore to Central Prison, Trichy.

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 Selvam S/o.Chinna Durair, aged 51 years, life convict, has filed the present petition seeking a direction to respondents to transfer her husband from Central Prison, Coimbatore to Central Prison, Trichy.

2. Learned counsel for petitioner submits that petitioner's husband was convicted for offence u/s.302 IPC and was awarded death sentence under judgment dated 05.10.1998 in S.C.No.392 of 1997 on the file of learned District and Sessions Judge, Tirunelveli and presently, confined at Central Prison, Coimbatore. Alleging that the prison authorities are harassing the petitioner's husband by putting him in a separate cell and not giving proper food to him, petitioner submitted a representation dated 12.11.2019 to respondents 1 to 3 seeking transfer of her husband from Central Prison, Coimbatore to Central Prison, Trichy. 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 1 to 3 within a period of two weeks from the date of receipt of this order and on receipt of the same, the respondents 1 to 3 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.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

1.The Secretary to Government,
Home Department,
Secretariat, Chennai - 600009.

2.The Additional Director General of Police
and Inspector General of Prisons,
Gandhi-Irwin Road,
Egmore, Chennai - 600008.



3.The Superintendent of Prisons,
Central Prison,
Coimbatore - 18.

4.The Superintendent of Prisons,
Central Prison, Trichy - 20.

5.The Addl. Public Prosecutor,
High Court, Madras.

+1cc to M/s.P.Pugalenthil, Advocate SR.100343

H.C.P.No.2560 of 2019

RR(CO)
CB(09/01/2020)