



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.7783 of 2019

M.Seenivasan

... Petitioner

Vs.

1.State of Tamil Nadu,
Represented by the Principal Secretary to Government,
Home(Prison IV) Department, Secretariat,
Fort St.George, Chennai-600 009.

2.The Additional Director General of Police,
Inspector General of Prison,
No.1, Gandhi Irwin Salai, Egmore,
Chennai-600 008.

3.The Deputy Inspector General of Prison,
Madurai Range, Central Prison Complex,
Madurai-625 016.

4.The Superintendent of Prison,
Madurai Central Prison,
Madurai-625 016.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents to extent the parole to the petitioner for the further period of three weeks to enable the petitioner to admit his wife namely Kalaiselvi, W/o. Seenivasan to undergo the surgery in the private Hospital, Madurai.

For Petitioner : Mr.C.Mayilvahana Rajendran

For Respondents : Mrs.S.Bharathi

Government Advocate (crl. side)

ORDER

The petitioner is a convict and he is now lodged in Central Prison, Madurai. He is now on parole vide proceedings of the Prison Superintendent dated 01.04.2019 and has been granted parole and he is required to report before the Prison authorities by 05.00 p.m. today (02.04.2019).

2.The learned counsel appearing for the petitioner submits that the petitioner's wife is suspected of tumor in the uterus and some biopsy is required to be done, for this and for other consequent



treatment, he wants to be by her side.

3.The learned Government Advocate (Crl. side) appearing for the respondents submitted that it is imperative that the petitioner reports before the Prison authority today (02.04.2019) lest, there is a possibility to consider him as a defaulter of the earlier permission granted.

4.The learned counsel appearing for the petitioner submits that the petitioner would report before the Authority by the time stipulated.

5.Turning to the second part of the petitioner's request to be accompanied his wife at time of taking biopsy etc. is concerned, the petitioner may apply for parole to the Superintendent of Prison, on production of certificate from the Doctors as to the date of biopsy or date of treatment. On receipt, the Superintendent of Prison shall consider the same as per law and also with considerable humanism.

6.In view of the above, the Writ Petition stands disposed of. No costs.

SD

ASSISTANT REGISTRAR (CO)

TRUE COPY

SUB ASSISTANT REGISTRAR (CS II)

tsg

To,

1.The Principal Secretary to Government,
Home(Prison IV) Department, Secretariat,
Fort St.George, Chennai-600 009.

2.The Additional Director General of Police,
Inspector General of Prison,
No.1, Gandhi Irwin Salai, Egmore, Chennai-600 008.

3.The Deputy Inspector General of Prison,
Madurai Range, Central Prison Complex,
Madurai-625 016.

4.The Superintendent of Prison,
Madurai Central Prison, Madurai-625 016.

1CC TO MR. C. MAYIL VAHANA RAJENDRAN, ADVOCATE SR 58812

DS

4/4/2019

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