

HON'BLE SRI JUSTICE P.KESHA VA RAO

W.P.No.6388 of 2014

ORDER:

There is no representation on behalf of the petitioner.

2. The prayer sought in this Writ Petition is as under:

“.....to issue Writ of Mandamus declaring the case of the convict viz., Natakam Rajaram, serving out his sentence in the 2nd respondent-Prisoners Agricultural Colony/Open Air Jail, Anantapur, is not hit by para-4 clause xv of the G.O.Ms.No.220 Home (Parole) Department dt.28-09-2013, passed by 1st respondent and consequently direct the 2nd respondent to forthwith release the said convict herein from the 2nd respondent-Jail.”

3. Learned Government Pleader, appearing for the respondents, placed on record written instructions dt.12-11-2019 issued by the Superintendent, Central Prison, Warangal.

4. From the perusal of the said written instructions, it is revealed that one Natakam Raja Ram, S/o. Muthaiah, was convicted and sentenced to under go imprisonment for life for the offence under Section 302 IPC in S.C.No.451 of 1999 on the file of the II Additional Sessions Judge (FTC), Adilabad on 05-11-2003. On appeal, the conviction and sentence are confirmed by the unified High Court of Andhra Pradesh vide CrI.A.No.502 of 2004 dt.20-06-2006. The said convict prisoner has completed 13 years 11 months and 5 days of actual sentence including remission as on 30-09-2013. Since the said

convict has murdered a public servant on duty (deceased was railway employee), the name of Natakam Raja Ram has not been placed before the Standing Committee for grant of special remission as per para-4 clause xv of the G.O.Ms.No.220 Home (Parole) Department dt.28-09-2013.

5. Along with the instructions, a copy of the G.O.Ms.No.220 Home (Parole) Department dt.28-09-2013 has also been enclosed.

6. From the perusal of the said G.O., it is revealed that as per para-4 clause xv of the said order, prisoners convicted for murder of public servants on duty are not entitled for any special remissions.

7. In that view of the matter, this Court is of the opinion that the said convict prisoner, as stated supra, is not entitled for any benefit under the G.O.Ms.No.220 Home (Parole) Department dt.28-09-2013. As such there are no merits in the Writ Petition and the same is liable to be dismissed.

8. Accordingly, the Writ Petition is dismissed. No costs.

9. As a sequel, the miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE P.KESHA VA RAO

Date: 23-12-2019
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