



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.237 of 2020

M.Depalakshmi (aged about 32 years)
W/o.Mudikondan,
No.1, Annasalai,
Periyar Nagar South,
Viruthachalam, Cuddalore District.

... Petitioner

-vs-

1.The State,
Rep. by the Deputy Inspector General of Prison,
Vellore Range, Vellore - 2.

2.The Superintendent of Prison,
Central Prison, Cuddalore - 4.

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to grant ordinary leave for 30 days to petitioner's husband namely, Senthilkumar @ Mudikondan, S/o.Prakalathan, aged 40 years, Ct.No.15638, Life Convict now confined in Central Prison, Cuddalore.

For Petitioner : Mr.P.Pugalenth

For Respondent : Mr.R.Prathap Kumar
Additional Public prosecutor

O R D E R

(Order of the Court was delivered by N.KIRUBAKARAN, J.)

This petition has been filed seeking 30 days leave to the petitioner's husband viz., Senthilkumar @ Mudikondan, S/o.Prakalathan, aged 40 years, Ct.No.15638, who is a life convict, for the purpose of operation to be performed on the petitioner's son.



2. Though the petition has been filed during January, the respondent/authorities have not responded properly, inspite of four adjourments. Therefore, this Court by order dated 12.03.2020 was compelled to summon the Deputy Inspector General of Prison, Vellore Range, Vellore - 2 to answer why this kind of attitude is exhibited by the officials. Ms. Jayabarathi, Deputy Inspector General of Prison, Vellore Range, Vellore - 2 has appeared before this Court and submitted that she would sensitize the officials properly and the said mistake will not be repeated by the officials. The official's further appearance is dispensed with.

3. Even though it is submitted before this Court that the 2nd respondent and one R1-Seat Clerk are responsible for the present situation, the Deputy Inspector General of Prison who is present before this Court is directed to find out who is responsible for this lapse and take action against the erred officials, after giving necessary opportunity and file the action taken report before this Court.

4. Be that as it may, when the matter is taken up today, the learned Additional Public Prosecutor filed a proceedings dated 14.03.2020 passed by the Deputy Inspector General of Prison, wherein 30 days leave has been granted to the detenu.

5. In view of the above, the present Petition has become infructuous. Accordingly, this Petition is dismissed as infructuous.

6. For filing action taken report, call the matter after four weeks.

Sd/-
Assistant Registrar(AD I)

//True Copy//

Sub Assistant Registrar

sai

To

1. The Deputy Inspector General of Prison,
Vellore Range,
Vellore - 2.

2. The Superintendent of Prison,
Central Prison, Cuddalore - 4.



3.The Public Prosecutor,
High Court,
Madras 104.

WEB COPY

H.C.P.No.237 of 2020

RGN (CO)
KKV/13/07/2020