

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2020

CORAM

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

H.C.P.No.2922 of 2019

M.Dhilnivas Begam
W/o.Mohamed Rafeek

... Petitioner/
wife of the detainee

Vs

1.The State of Tamil Nadu,
represented by its
Additional Director General of Prisons,
Egmore, Chennai - 600008.

2.The Superintendent of Central Prison,
Coimbatore,
Coimbatore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing respondents to transfer the petitioner's husband Mohamed Rafeek S/o.Abdul Jabbeer, aged about 33 years, life convict, presently confined at Central Prison, Coimbatore to Central Prison, Puzhal, Chennai - 66.

For Petitioner : Mr.R.Sankarasubbu

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 is the wife of Mohamed Rafeek S/o.Abdul Jabbeer, aged about 33 years, life convict, presently confined at Central Prison, Coimbatore and has filed the present petition seeking transfer of her husband from Central Prison, Coimbatore to Central Prison, Puzhal, Chennai - 66.

2. Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing for respondents.

3. Learned counsel for petitioner submits that the life convict has undergone imprisonment for five years in Central Prison, Puzhal, Chennai. Suddenly, he was transferred to Central Prison, Coimbatore. The life convict has filed an appeal before this Court and the same is pending. Since the life convict has to instruct his counsel to prosecute the appeal, petitioner submitted a representation to respondents on 28.10.2019 seeking transfer of life convict to Central Prison, Puzhal, Chennai. Since no action was taken, the present petition has been filed seeking the aforesaid relief.

4. Heard learned Additional Public Prosecutor appearing for respondents on the above submissions.

5. Considering the submissions made, this Court directs respondents to consider the petitioner's representation dated 28.10.2019 and pass orders on merits and 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 (CS-VI)

//True Copy//

Sub Assistant Registrar

gm

To

- 1.The Additional Director General of Prisons,
Egmore, Chennai - 600008.
- 2.The Superintendent of Central Prison,
Coimbatore,
Coimbatore District.
- 3.The Joint Secretary to Govt.,
Public (Law & Order),
Fort St.George, Chennai-9.
- 4.The Public Prosecutor,
High Court, Madras.

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MP (CO)
CB (11/02/2020)