



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHANW.P. (MD) No. 3886 of 2016

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... Petitioner

Vs.

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

2. The Additional Director General of Prisons,
Egmore, Chennai - 600 008.

3. The Superintendent of Prisons,
Madurai Central Prison,
Madurai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to classify the petitioner as a "A" class prisoner and consequently provide "A" class facilities to the petitioner in the Central Prison, Madurai.

For Petitioner	: Mr.R.Alagumani
For Respondents	: Mr.A.Robinson, Government Advocate (Crl. Side).

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner is a life convict. He seeks classification of his status as "A" class prisoner and for providing "A" class facilities. It is seen that the petitioner was a civil contractor doing works for the local bodies and the Government departments. He has been an Income Tax assessee. The petitioner in his representation dated 02.02.2016 has set out as to why he should be categorised as "A" class prisoner.

3. The third respondent had instructed the petitioner that in the event of the Court directing conferment of "A" class facilities, the department would take further action in the matter.



4. I am of the view that the prison authorities themselves could have taken a call in the matter instead of driving the petitioner to move the writ petition.

5. The petitioner's counsel also drew my attention to the relevant rules in the Prison Manual which clearly indicate that even a convict is entitled to "A" class facilities, if he is otherwise eligible. I am satisfied that the petitioner is entitled for the classification of his status as "A" class prisoner. The third respondent is directed to provide "A" class facilities to the petitioner by treating him as "A" class prisoner.

6. The criminal original petition stands allowed, accordingly. No costs.

Sd/-

Assistant Registrar (P&A)

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/ /2020

Sub Assistant Registrar (CS)

Pmu

To:

1. The Secretary to Government,
Home (Prison IV) Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Additional Director General of Prisons,
Egmore, Chennai - 600 008.
3. The Superintendent of Prisons,
Central Prison, Madurai.

+1 CC to Mr. R. ALAGUMANI, Advocate (SR-4514[F] dated 03/02/2020)

W.P. (MD) No.3886 of 2016
03.02.2020

VB(18.02.2020) 2P 5C