

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE ELEVENTH DAY OF MAY
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION NO: 6665 OF 2020

Between:

V. Suhashini, W/o Vemula Srinivas Rao @ Vasu aged about 30 years, occ
Housewife R/o H.No. 3-4-514, Opp Harikishan Eye care Centre Lingampally,
Kachiguda, Hyderabad Permanent R/o Sattupally village, Khammam District.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Home/Prisons
Department, Secretariat, Saifabad, Hyderabad.
2. The Joint Commissioner of Police, HFAC, Central Zone, Hyderabad.
3. The Inspector of Police/SHO, Narayanaguda Police Station, Hyderabad.
4. The Superintendent of Central Prison (Prisons) Cherlapalli, Medchal district
erstwhile R.R. District

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the
circumstances stated in the affidavit filed therewith, the High Court may be pleased
to issue a Writ, Order or Direction, more particularly one in the nature of Writ of
Mandamus, declaring the action of the respondent No.2 in not forwarding the
recommendation made by the 3rd respondent for release of the husband of the
petitioner namely Vemula Srinivas Rao @ Vasu who is convict prisoner vide its
judgment passed in SC No.736 of 2013 dt.05/12/2017, on the file of the court of the
III ADJ -Cum- AMSJ, Cyberabad, LB Nagar RR district, presently lodged in Central
Prison, Cherlapally, vide Convict No. 1645, on furlough vide Ir No. 156/IW/PS
NG/2020 dt.30/03/2020 of the 3rd respondent herein inspite of the specific report
submitted by the 3rd respondent to the 2nd respondent as being illegal, arbitrary
and unjust, and consequently direct the respondent No.2 to pass appropriate orders
on the Lr No.,156/IW/PS NG/2020 dt.30/03/2020 of the 3rd respondent herein
recommending for release of the petitioners husband namely Vemula Srinivas Rao
@ Vasu forthwith

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in
the affidavit filed in support of the petition, the High Court may be pleased to direct

the 2nd respondent herein to forthwith pass orders granting furlough, for release of the petitioner's husband who is languishing in Central Prison, Cherlapally, vide Convict No. 1645 by taking into consideration the report of the 3rd respondent Lr., No. 156/IW/PS NG/2020, dt.30-3-20220, pending disposal of the main Writ Petition,

Counsel for the Petitioner: SMT. G. JAYA REDDY

Counsel for Respondents: GP FOR HOME

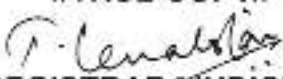
The Court made the following: ORDER

The present writ petition is filed under Article 226 of the Constitution of India for issuance of a *Writ of Mandamus* to declare the action of the 2nd respondent in not forwarding the recommendation made by the 3rd respondent for release of the husband of the petitioner viz., Vemula Srinivas Rao @ Vasu, a convict prisoner in Sessions Case No.736 of 2013 on the file of III Additional District Judge-cum-Additional Metropolitan Sessions Judge, Cyberabad at L.B. Nagar, Ranga Reddy District, presently lodged in Central Prison, Cherlapalli, vide convict No.1645 on furlough, as being illegal, arbitrary and unjust.

2. The above case is taken up for hearing today through video conferencing.
3. Heard the learned counsel for the petitioner and the learned Government Pleader for Home appearing for the respondents.
4. The learned Government Pleader for Home on instructions submits that the cause in the present writ petition does not survive for adjudication, since the 2nd respondent has forwarded the recommendation of the 3rd respondent to the 4th respondent i.e., Superintendent of Central Prison, Prisons Cherlapalli, Medchal District on 09.05.2020 for necessary action.
5. Having regard to the above said submission made by the learned Government Pleader for Home on behalf of the 2nd respondent of forwarding the recommendation of the 3rd respondent to the 4th respondent, no further adjudication of the present writ petition is called for.

6. Accordingly, the writ petition is closed. No order as to costs.
7. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

SD/- SRI JUSTICE T. VINOD KUMAR

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REGISTRAR (JUDICIAL)


14/5/2020

ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. One CC to Smt. G. Jaya Reddy, Advocate [OPUC]
2. Two CCs to GP For Home, High Court for the State of Telangana. [OUT]
3. Two CD Copies

MBC

HIGH COURT

TVK,J

DATED: 11/05/2020



ORDER

WP.No.6665 of 2020

CLOSING THE WRIT PETITION

WITHOUT COSTS