

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.02.2021

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH
AND
THE HON'BLE MR.JUSTICE V.SIVAGNANAM

W.P.NO.573 OF 2021

V.Chithra

.. Petitioner

Vs.

1. The State Rep. by its
Home Secretary (Prison),
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Director General of Prisons and
Inspector General of Prisons,
No.02, Whannels Road, Egmore,
Chennai - 600 008.
3. The Deputy Inspector General (Range),
Coimbatore Range,
Gandhipuram Coimbatore - 641 012.
4. The Superintendent of Prison,
Coimbatore Central Prison, Gandhipuram,
Coimbatore - 641 012.

.. Respondents

Prayer:-

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider the petitioner's representation dated 21.08.2020 within time limit in the light of the direction given by the Hon'ble Apex Court in State of Tamil Nadu v H.Nilofer Nisha reported in 2020-1-L.W(Crl) 612.

For Petitioner .. Mr.M.Mohamed Saifulla

For Respondents .. Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

(Made by P.N.PRAKASH, J.)

Seeking a direction to the respondents to consider the petitioner's representation, dated 21.08.2020, within time limit in the light of the direction given by the Hon'ble Apex Court in State of Tamil Nadu v H.Nilofer Nisha reported in 2020-1-L.W (Crl) 612, the present petition has been filed.

2. It is the case of the petitioner that her husband Vijayan @ Vishwanathan, S/o.Rajagopal (Convict No. 2807), who is confined in Central Prison, Coimbatore, is entitled to the benefits of G.O.Ms.No.64, Home (Prison-IV) Department, dated 01.02.2018. In this regard, the petitioner has given a representation dated 21.08.2020 to the authorities and that the same has not been considered.

3. On instructions, learned Additional Public Prosecutor, submitted that the representation given by the petitioner was received by the Superintendent of Prison, Coimbatore, on 03.09.2020, and that he has forwarded the same to the Office of the Director General of Prisons.

4. In view of the above, this Court directs respondents 1 and 2 to dispose of the said representation given by the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ssm

To

1. The Home Secretary (Prison),
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Director General of Prisons and Inspector
General of Prisons,
No.02, Whannels Road, Egmore,
Chennai - 600 008.

3. The Deputy Inspector General (Range),
Coimbatore Range, Gandhipuram Coimbatore - 641 012.
4. The Superintendent of Prison,
Coimbatore Central Prison, Gandhipuram,
Coimbatore - 641 012
5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Mohamed Saifulla, Advocate, S.R.No.7291

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SS (CO)
CS/16/03/2021