

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2021

Coram

The Hon'ble Mr. Justice P.N.PRAKASH
and

The Hon'ble Mr. Justice V.SIVAGNANAM
W.P.No.3326 of 2021

Katheerja

.. Petitioner

Vs

The State represented by its

1.The Secretary to Government of Tamilnadu,
Department of Home,
Fort St.George,
Chennai - 09.

2.The Superintendent,
Central Prison,
Puzhal, Chennai.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider the representation dated 23.01.2019 and consecutively direct the first respondent to release the detenu Jakir Hussain, S/o. Salaudeen, Life convict No.1770 prematurely as per the G.O.(Ms).No.64 dated 01.02.2018, confined at Central Prison, Puzhal, Chennai.

For Petitioner : Dr.S.Manoharan

For Respondents : Mr.R.Prathap Kumar,
Addl.Public Prosecutor

ORDER

[Order of the Court was made by V.SIVAGNANAM, J.]

Seeking a direction to the respondents to consider the representation dated 23.01.2019 and for a consequential direction to the first respondent to release the detenu Jakir Hussain, S/o. Salaudeen, Life convict No.1770, confined at Central Prison, Puzhal, Chennai, prematurely as per G.O.(Ms).No.64 dated 01.02.2018, the present writ petition has been filed.

2.It is the case of the petitioner that her husband Jakir Hussain, Life Convict No.1770, has completed 20 years of actual imprisonment and he 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 23.01.2019 and the same is pending disposal.

3.Today, Mr.Kannan, Chief Head Warder, Central Prison, Puzhal, Chennai is present.

4.On instructions, learned Additional Public Prosecutor submitted that the representation given by the petitioner has been forwarded by the Director General of Prisons vide communication dated 16.07.2019 to the office of the Home Secretary, State of Tamil Nadu.

5.In view of the above, we direct the first respondent to dispose of the representation given by the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

/TRUE COPY/

Sub-Assistant Registrar

mmi

To

1.The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St.George, Chennai - 9.

2.The Superintendent,
Central Prison,
Puzhal, Chennai.

3.The Public Prosecutor,
High Court, Madras.

WEB COPY

W.P.No. 3326 of 2021

PMK (CO)
KKN 27.04.2021