

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2021

Coram

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

W.P.No. 3907 of 2021

N.Mumtaz .. Petitioner /Sister of the detenue

Vs

1.The State Rep. by its
The Secretary to Government of Tamilnadu,
Department of Home,
Fort St.George, Chennai - 600 009.

2.The Superintendent of Prison,
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 05.01.2019 and consecutively release the life convict prisoner the detenu, Mohammed Khan @ Sirajudeen, aged about 52 years, S/o.Abdul Rahman Hussain, Convict No.3345 prematurely as per G.O. Ms.No.64 dated 01.02.2018 the detenue, detained 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 05.01.2019 and to release the life convict prisoner Mohammed Khan @ Sirajudeen, Convict No.3345, who is 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 brother Mohammed Khan @ Sirajudeen, Convict No.3345, has completed more than 18 years of actual imprisonment and that 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 05.01.2019 to the authorities and the same is pending.

3.Today, Mr.M.Raja, 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 office of the Director General of Prisons by communication in No.01234/PS1/19 dated 08.07.2019 to the office of the Home Secretary, State of Tamil Nadu and the same is pending.

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

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government of Tamilnadu,
Department of Home,
Fort St.George, Chennai - 600 009.

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

3.The Public Prosecutor, High Court, Madras.

W.P.No. 3907 of 2021

SSN(CO)
KM(29/04/2021)