

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WP.NO.1855 OF 2021

Pappathi

... Petitioner

vs.

1. The Government of Tamil Nadu,
Rep. By its Secretary to Government,
Home (Prison IV) Department,
Fort St. George, Chennai 600 009.
 2. The Additional Director General of Prisons,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
Egmore, Chennai 8.
 3. The Superintendent of Central Prison,
Central Prison,
Puzhal, Chennai 600 066.
- ... Respondents

Prayer:-

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to grant leave for 30 days without escort to the petitioner's sons namely 1) Balasubramaniam (age-40), S/o.Late Kandasamy, * 2) **Sasikumar** (age-37) S/o.Late Kandasamy, 3) Gowri Shankar (age-35) S/o.Late Kandasamy, detained at Central Prison, Puzhal, Chennai.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Mr.M.Mohamad Riyaz
Additional Public Prosecutor

O R D E R

This Writ Petition is filed for a direction to the respondents to consider the representation made by the petitioner, who is seeking for an emergency leave for her sons, who are life convicts, in order to attend the 30th day funeral ceremony of their father.

2. When the matter came up for hearing on 01.02.2021, this Court passed the following order:

"The life convict is seeking for an emergency leave in order to attend to the 30th day funeral ceremony of his father. Already, the life convict was granted six days emergency leave from 16th to 21st January 2021. The learned Additional Public Prosecutor shall take instructions from the 3rd respondent and report before this Court with regard to the number of days leave that is going to be granted to the petitioner during the 2nd spell to attend to the funeral ceremony of the father.

2. Post this case under the caption for orders on 04.02.2021."

3. When the matter was taken up for hearing to-day, the learned Additional Public Prosecutor submitted that the life convicts will be granted 3 days leave and the period can be fixed by this Court considering the date on which the ceremony is going to be conducted.

4. Taking into consideration the facts and circumstances of the case, there shall be a direction to the third respondent to grant the second spell of emergency leave to the sons of the petitioner from 12.02.2021 up to 17.02.2021. The sons of the petitioner shall be released on 12.02.2021 and they shall surrender before the third respondent on 17.02.2021. It is left open to the third respondent to impose any reasonable conditions as may be necessary.

5. The Writ Petition is disposed of with the above directions. No costs. सत्यमेव जयते

Sd/-

Assistant Registrar (CS IV)

05.02.2021

*** Prayer amended vide order dated
09.02.2021 in WP.No.1855 of 2021**

Sd/-

Assistant Registrar (CO)

dated 10.02.2021

//True Copy//

Sub Assistant Registrar

jv

To

1. The Secretary to Government,
Government of Tamil Nadu
Home (Prison IV) Department,
Fort St. George,
Chennai 600 009.
2. The Additional Director General of Prisons,
Thalamuthu Natarajan Maaligai,
2nd Floor, Gandhi Irwin Road,
Egmore, Chennai 8.
3. The Superintendent of Central Prison,
Central Prison,
Puzhal, Chennai 600 066..
4. The Public Prosecutor,
High Court, Chennai.

**To be Substituted
to the Order already
Despatched on
08.02.2021**

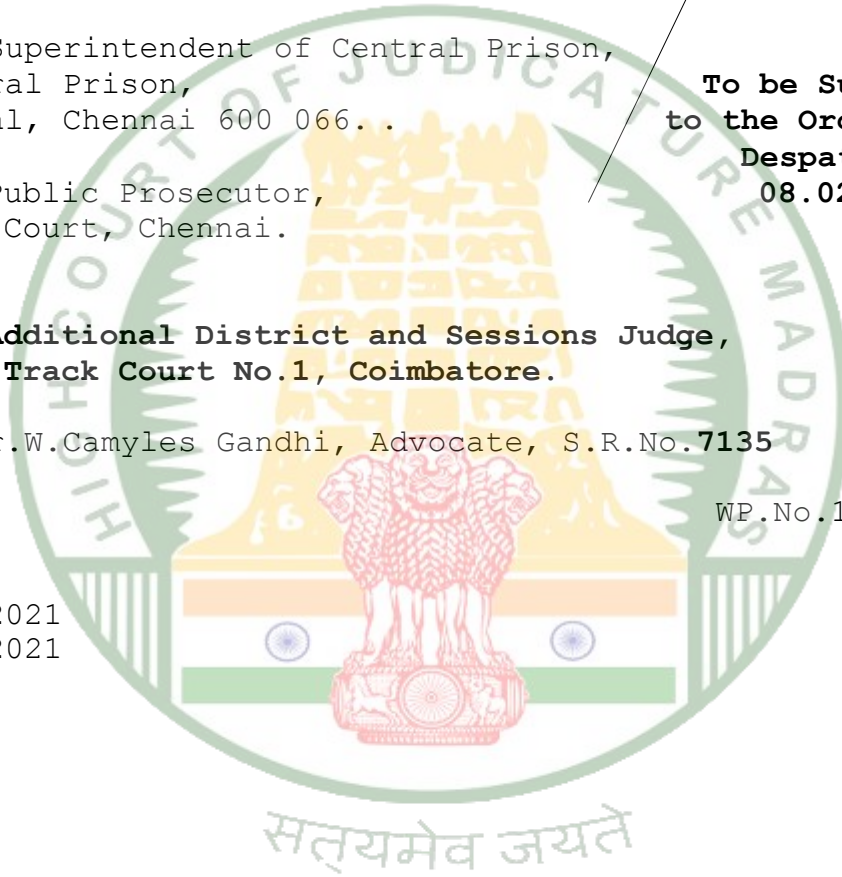
Copy To

**The Additional District and Sessions Judge,
Fast Track Court No.1, Coimbatore.**

+lcc to Mr.W.Camyles Gandhi, Advocate, S.R.No.7135

WP.No.1855 of 2021

JP(CO)
CS/05/02/2021
CS/10/02/2021



WEB COPY