

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2021

CORAM

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

W.P.NO.5035 OF 2021

Saifunnisa

..Petitioner

Vs.

1. State of represented by
The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St.George,
Chennai - 600 009.

2.The Superintendent,
Central Prison,
Kovai.

...Respondents

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 19.01.2018 and consecutively direct the first respondent to release the life convict prisoner, the detenu, Mohammed Zubair @ Sheik Janu, S/o.Sheik Mohideen, aged about 48 years, Life Convict No.3243 prematurely as per the G.O.(Ms).No.64, dated 01.02.2018, now the detenu confined at Central Prison, Kovai.

For Petitioner : Mr.S.Manoharan
For Respondents : Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

This writ petition has been filed seeking to direct the first respondent to release the life convict prisoner, the detenu, Mohammed Zubair @ Sheik Janu, S/o.Sheik Mohideen, aged about 48 years, Life Convict No.3243 prematurely as per the G.O.(Ms).No.64, dated 01.02.2018, now the detenu confined at Central Prison, Kovai.

2. It is the case of the petitioner that her husband SingaravelMohammed Zubair @ Sheik Janu, S/o.Sheik Mohideen, aged about 48 years, Life Convict No.3243, has completed more than

ten years of actual imprisonment and therefore, he would be entitled to the benefits of G.O.Ms.No.64 dated 01.02.2018, in connection with which, she has given a representation dated 01.01.2019 (wrongly typed as 19.01.2018 in the affidavit of the writ petition and prayer column) to the authorities, which has not been disposed of so far.

3. Today, Mr.M.Ayyappan (Mobile No.98400 81171), Head Warder, Central Prison, Coimbatore, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that the representation dated 07.01.2019 has been forwarded by the office of the Director General of Prisons, vide communication dated 27.08.2019, to the Government for appropriate orders.

In view of the above, this writ petition is disposed of with a direction to the first respondent to dispose of the said representation within twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

nsd

To

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

2.The Superintendent,
Central Prison,
Kovai.

3.The Director General of Prisons,
Egmore, Chennai.

4.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

W.P.No.5035 of 2021

PMK(CO)
baf 04/05/2021