

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.4695 of 2021  
and W.M.P.No.5314 of 2021

Subbulakshmi

.. Petitioner

Vs.

1.State of Tamil Nadu  
Represented by its Secretary,  
Home Department,  
Fort St.George,  
Chennai - 600 009.

2.The Additional Director General of Prisons,  
Egmore, Chennai - 600 008.

3.The Superintendent of Central Prison,  
Cuddalore, Cuddalore District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the first respondent to consider the representation of the petitioner dated 07.11.2020 and premature release the detenu Singu @ Singaravel, S/o.Balakrishnan, aged 46 years, C.No.12080, now confined in Central Prison, Cuddalore.

For Petitioner : Mr.R.Sankarasubbu

For Respondents: Mr.R.Prathap Kumar

Additional Public Prosecutor

ORDER

[Order of the Court was made by P.N.PRAKASH, J.]

This writ petition has been filed seeking to direct the first respondent to consider the representation of the petitioner dated 07.11.2020 and premature release the detenu Singu @ Singaravel, S/o.Balakrishnan, aged 46 years, C.No.12080, now confined in Central Prison, Cuddalore.

2. It is the case of the petitioner that her husband Singaravel, Convict Prisoner No.12080, 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 07.11.2020 to the authorities, which has not been disposed of so far.

3. Today, Mr.P.Mariselvam (Mobile No.99627 91206), Chief Head Warder, Central Prison, Cuddalore, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that the representation dated 07.11.2020 has been forwarded by the office of the Director General of Prisons, vide communication dated 21.11.2020 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. In view of Section 72 of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955, it is not necessary for the petitioner to pay the requisite court-fee chargeable on a regular writ petition, since the detenu is in the custody. As a sequel, W.M.P.No.5314 of 2021 is allowed. No costs.

Sd/-  
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

nsd  
To

1.The Secretary,  
Home Department,  
Fort St.George,  
Chennai - 600 009.

2.The Additional Director General of Prisons,  
Egmore, Chennai - 600 008.

3.The Superintendent of Central Prison,  
Cuddalore, Cuddalore District.

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

W.P.No.4695 of 2021

PMK (CO)  
GMY (16/06/2021)