

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.06.2021

CORAM

THE HONOURABLE Mr. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Mr. JUSTICE R.PONGIAPPAN

W.P.No.7407 of 2021

Periyanayaki ... Petitioner
Vs.

State represented by

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

2.The Additional Director General of Prison,
C.M.D.A. Towers,
Egmore, Chennai - 600 008.

3.The Superintendent,
Central Prison,
Coimbatore.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the respondents to grant ordinary leave for 30 days to the detenu Amirthalingam, son of Kasinathan, aged about 36 years, convict prisoner, Convict No.14250, confined at Central Prison, Coimbatore.

For Petitioner : Ms.S.G.Vedha

For Respondents: Mr.R.Muniyapparaj
Govt. Advocate (Crl.Side)

O R D E R

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

It is the case of the petitioner that her husband viz. Amirthalingam (life convict No.14250), is confined in the Central Prison, Coimbatore and that an application dated 09.01.2021, seeking leave was submitted to the authorities on

the ground that Amirthalingam's mother is sick and thereafter, this petition has been filed seeking 30 days leave for Amirthalingam under the Tamil Nadu Suspension of Sentence Rules, 1982.

2. When this matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that the request for leave for Amirthalingam was considered by the Superintendent of Central Prison, Coimbatore and an order dated 05.02.2021, has been passed rejecting the request by citing various legal provisions. He further submitted that the said rejection order has been sent by post to the petitioner and a copy of the same has been served on Amirthalingam as well in the prison. However, he submitted that he will serve a copy of the rejection order on the learned counsel for the petitioner also.

Recording the same, this Writ Petition is closed with liberty to the petitioner to work out her remedies in the manner known to law. No costs.

Sd/-

Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to the Government of Tamil Nadu,
Department of Home,
Fort St.George,
Chennai - 600 009.
- 2.The Additional Director General of Prison,
C.M.D.A. Towers,
Egmore, Chennai - 600 008.
- 3.The Superintendent,
Central Prison, Coimbatore.
- 4.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

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srg 14/07/2021