

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2021

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.4127 of 2021

Muniyammal

...Petitioner

-Vs-

1.The Secretary to Government,
Home Department,
Government of Tamil Nadu,
Secretariat, Chennai 600 009.

2.The Superintendent of Prison,
Vellore Central Prison,
Vellore District.

3.The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to grant 7 days emergency leave to the petitioner's son by name Radha @ Radhakrishnan, son of Ramanujam aged about 32 years, confining at Vellore Central Prison to attend his sister final funeral by name Divya in pursuance of rule 6 of Tamilnadu Suspension of Sentence Rules, 1982 and by considering the representation submitted by the petitioner dated 17.02.2021 in accordance with the time stipulated by this Court.

For Petitioner : Mr.A.S.Baalaji

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

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents to consider the representation made by the petitioner on 17.02.2021, wherein, the

petitioner has sought for emergency leave for her son who is a life convict in order to attend the funeral of his Sister, who expired on 17.02.2021.

2.Heard Mr.A.S.Baalaji, learned counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing on behalf of the respondents.

3.Taking into consideration the facts and circumstances of the case and also taking note of Rule 6 and Rule 13 of the Tamil Nadu Suspension of Sentence Rules, 1982, the following directions are issued:

a. The 2nd respondent is directed to grant six days emergency leave to the convict with escort.

b. The convict shall be released from the Central Prison, Vellore District, today and he shall surrender before the 2nd respondent on 25.02.2021.

c. The convict shall report before the Inspector of Police, Arumbakkam Police Station, Chennai, daily at 5.30 p.m., till he surrenders before the 2nd respondent on 25.02.2021. and;

d. It is left open to the 2nd respondent to impose any other reasonable conditions.

This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
Home Department,
Government of Tamil Nadu,
Secretariat,
Chennai 600 009.

2.The Superintendent of Prison,
Vellore Central Prison,
Vellore District.

3.The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai District.

4.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.A.S.Balaji, Advocate Sr.9721

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srg 18/02/2021



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