

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.4574 of 2021

L.Wasib Khan

... Petitioner

Vs.

1. The State rep. by its
Home Secretary (Prison)
Home Department, Secretariat,
Fort St. George, Chennai - 600 009.
 2. The Director General of Prison,
Gandhi Irwin Road, CMDA Building,
Egmore, Chennai.
 3. The Deputy Inspector General of Prison (Chennai Range)
Gandhi Irwin Road, CMDA Building,
Egmore, Chennai.
 4. The Superintendent of Prison,
Central Prison at Puzhal - I,
Thiruvallur - 600 066.
- ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to grant 30 days leave without escort to the convict namely Wasib Khan S/o.Liaquat Ali, Confined at Central Prison, Puzhal-I and may deem fit and necessary orders.

For Petitioner: Mr.M.Mohamed Saifulla

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

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the respondents to consider the representation made by the petitioner dated 10.01.2021 wherein the petitioner has sought for grant of 30 days ordinary leave.

2.The petitioner is a convict and he is presently serving sentence at Central Prison, Puzhal. It is also seen from records

that the petitioner has filed an appeal against the judgment of the trial Court and the same is pending before this Court in Crl.A.No.125 of 2020. According to the petitioner, his mother is facing a severe heart problem and she is taking treatment in hospital and her health condition is very serious. The petitioner wanted to attend to his mother's health condition and also to arrange for the medical expenses. Therefore, the petitioner made a representation seeking for ordinary leave before the respondent. Since, the same was not considered, the present writ petition has been filed before this Court.

3.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the representation made by the petitioner on 10.01.2021 strictly in accordance with Tamil Nadu Suspension of Sentence Rules, 1982 and shall pass orders, within a period of ten days from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 3rd respondent along with a copy of the representation dated 15.07.2019 and a copy of this order.

4.This writ petition is disposed of with the above direction. No Costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ssr
To

1. The Home Secretary (Prison)
Home Department, Secretariat,
Fort St. George, Chennai - 600 009.
2. The Director General of Prison,
Gandhi Irwin Road, CMDA Building,
Egmore, Chennai.
3. The Deputy Inspector General of Prison (Chennai Range)
Gandhi Irwin Road, CMDA Building,
Egmore, Chennai.

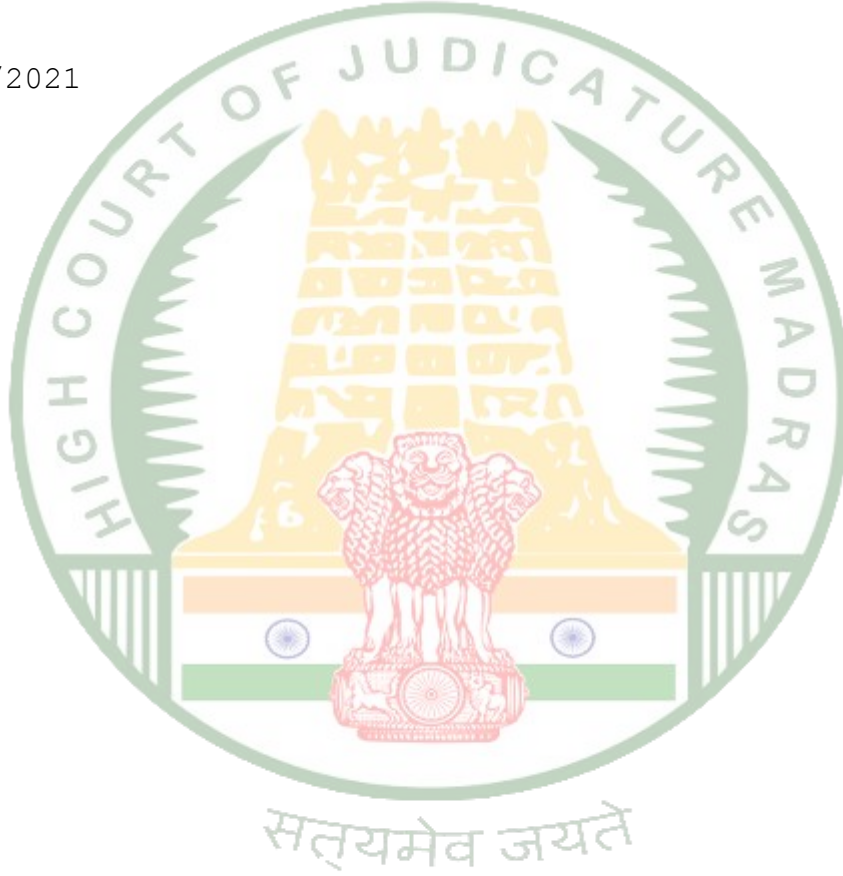
4. The Superintendent of Prison,
Central Prison at Puzhal - I,
Chennai - 600 066.

5. The Public Prosecutor,
High Court of Madras, Chennai.

+1cc to Mr.Mohamed Saifulla, Advocate Sr.15482

W.P.No.4574 of 2021

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srg 15/03/2021



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