

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 03.03.2021

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THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.5554 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 filed under article 226 of constitution of India for issue of writ of Mandamus directing the respondents to grant emergency leave to the petitioner son by name Radha @ Radhakrishnan son of Ramanujam aged about 40 Years confining at vellore,central Prison to attend his 16th day death ceremony by name Divya in pursuance of rule 6 of Tamil Nadu Suspension of sentence Rules, 1982 and by considering the representation submitted by the petitioner dated 02.03.2021 in accordance with the time stipulated by this Court.

For Petitioner : Mr.M.Mohamed Riyas

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

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O R D E R

This writ petition has been filed seeking for grant of emergency leave to the convict, who is the son of the petitioner in order to enable him to attend the 16th day death ceremony of his sister.

2. The petitioner had approached this Court on an earlier occasion and filed WP No.4127 of 2021, seeking for emergency leave, in view of the death of the sister of the

convict. This Court granted six days emergency leave. The convict after expiry of the emergency leave had surrendered before the 2nd respondent on time.

3. It is stated that the 16th day death ceremony is going to be conducted tomorrow and the convict has to participate in the same because the deceased was his sister.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of respondents.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the 2nd respondent to grant three days emergency leave to the convict without escort to enable him to attend the death ceremony of his sister tomorrow. It is left open to the 2nd respondent to impose any reasonable conditions.

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

Sd/-
Assistant Registrar(insp cell)

//True Copy//

Sub Assistant Registrar

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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.

W.P.No.5554 of 2021

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A.SK(04.03.2021)