

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.7235 of 2021

Selvi

... Petitioner

Vs.

The Superintendent of Prison,
Central Prison,
Salem.

... Respondent

Prayer: This Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the respondent to consider the representation dated 18.02.2021 and provide 'A Class' facility to the petitioner's husband viz., Udhayakumar, S/o.Munusami, aged about 56 years, convict prisoner, now confined in the Central Prison, Salem.

For Petitioner : Mr.S.Nadhiya

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondent to consider the representation made by the petitioner wherein the petitioner has sought for 'A Class' facility for her husband who is presently confined at Central Prison, Salem.

2. The case of the petitioner is that her husband was convicted and sentenced to life imprisonment. The further case of the petitioner is that he has already served more than 14 years imprisonment and he was an ex-servicemen. That apart, he was also an income tax assessee. Therefore, according to the petitioner, her husband is entitled for 'A Class' facility under the relevant prison manual. The petitioner, therefore, made a representation to the respondent on 18.02.2021 requesting for 'A Class' facility for her husband. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Ms.S.Nadhiya, learned counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public prosecution appearing on behalf of respondent.

4. Taking into consideration the facts and circumstances of the case and also the limited relief sought for in this writ petition, there shall be a direction to the respondent police to consider the representation made by the petitioner on 18.02.2021 and take a decision strictly in accordance with the prison manual within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the respondent along with all the relevant documents and also a copy of this order.

5. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Prison,
Central Prison,
Salem.
2. The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

+1cc to Mr.S.Nadhiya, Advocate Sr.17952

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