

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.7624 of 2021

Kothandabani

.. Petitioner

Vs.

1.The Home Secretary,
Home Department,
Secretariat, Fort St.George,
Chennai.

2.The Additional Director General
of Police (Prison),
Whannels Road,
Egmore, Chennai - 600 008.

3.The Superintendent of Prison,
Central Prison, Cuddalore.

4.The Inspector of Police,
Kanai Police Station,
Villupuram - 605 301.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus, calling for the records proceedings vide No.1966/Tha-ku2/2021 dated 10.02.2021 passed by the 3rd respondent, quash the same and consequently direct the respondents to grant 30 days emergency leave without escort to the petitioner's son Thirugnanam (Prisoner No.16289), now confined in Cuddalore Central Prison.

For Petitioner : Mr.K.Amirthalingam

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 his son viz. Thirugnanam is a convict prisoner (No.16289), undergoing sentence in the Central Prison, Cuddalore. It is his further

case that his son requires medical attention and therefore, an application dated 08.02.2021 was submitted to the authorities seeking emergency leave for 30 days and since no orders have been passed thereon, this writ petition has been filed for the aforesaid relief.

2. When this matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that the Superintendent of Central Prison, Cuddalore, passed an order dated 10.02.2021, rejecting the petitioner's application by citing the extant rules. He further submitted that it is manifest from the communication dated 09.04.2021 addressed by the Medical Officer, Central Prison, Cuddalore to the Superintendent, Central Prison, Cuddalore that the required medical treatment is being given to Thirugnanam, as on the date of the said communication. He also submitted that a copy of the rejection order has been sent by post to the petitioner and another copy has been served on Thirugnanam in prison and however, he will send a copy of the said rejection order to the learned counsel for the petitioner.

In view of the above submission made by the learned Government Advocate (Crl. Side), this writ petition is closed with liberty to the petitioner to work out his remedies in the manner known to law. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Home Secretary,
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Fort St.George, Chennai.

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of Police (Prison),
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PPA (CO)
SP(13/07/2021)



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