

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.05.2021
CORAM :

THE HONOURABLE MR. JUSTICE R.SURESH KUMAR
AND
THE HONOURABLE MR. JUSTICE P.D.AUDIKESSAVALU

W.P.No.11744 of 2021

Rabiya

..Petitioner

Vs

1. The Commissioner of Police,
Coimbatore City,
Coimbatore - 641 018.
2. The DIG of Prisons,
Coimbatore Range,
Central Prison,
Coimbatore - 641 018.
3. The Superintendent of Prisons,
Central Prison,
Coimbatore - 641 018.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider the representation dated 15.03.2021 made by the petitioner and to provide escort enabling the petitioner's husband Mr.Nettai Ibrahim, Son of Husain, aged 35 years, Life Convict now confined in Central Prison, Coimbatore, to avail 30 days leave already granted by respondent No.2 to him.

For Petitioner : Mr.P.Pugalenth

For Respondents : Ms.P.Kritika Kamal,
Government Advocate
(Criminal Side)

ORDER
(Made by R.SURESH KUMAR, J.)

The prayer sought for in this writ petition is to direct the respondents to consider the representation dated 15.03.2021 made by the petitioner and to provide escort to the petitioner's husband Nettai Ibrahim, Son of Husain, aged 35 years, Life Convict, now confined in Central Prison, Coimbatore, to avail 30 days leave already granted by the second respondent.

2. The petitioner's husband is the convict. He is in jail for more than twenty years and as per the application submitted by the petitioner, already the Deputy Inspector General of Prisons has sanctioned 30 days leave under the relevant Rules with escort. However, due to the just concluded general assembly elections and due to scarcity of personnel, the escort could not be provided by the authorities concerned. Therefore, the petitioner's husband is not able to utilize the 30 days leave. Hence, the petitioner has given a representation on 15.03.2021 to provide escort to the petitioner's husband for 30 days leave that has already been sanctioned.

3. Heard Mr.P.Pugalenth, learned counsel appearing for the petitioner and Ms.P.Kritika Kamal, learned Government Advocate (Criminal Side) for the respondents.

4. Ms.P.Kritika Kamal, learned Government Advocate (Criminal Side), on instructions, would submit that because of the just concluded general assembly elections, the escort sought for could not be provided and now it is possible to provide escort. Therefore, the representation of the petitioner in this regard dated 15.03.2021 would be considered and accordingly the needful would be undertaken by the respondents, she contended.

5. Having heard the submissions, we are inclined to dispose of this writ petition with the following direction:

That the request of the petitioner dated 15.03.2021 shall be considered by the respondents and accordingly needful shall be undertaken for providing escort to the petitioner's husband for the 30 days leave already been sanctioned in this regard by the order of the D.I.G. of Prisons dated 07.09.2020. Needful shall be undertaken by the respondents within a period of two weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VII)

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Sub Assistant Registrar

mml/ssm
To

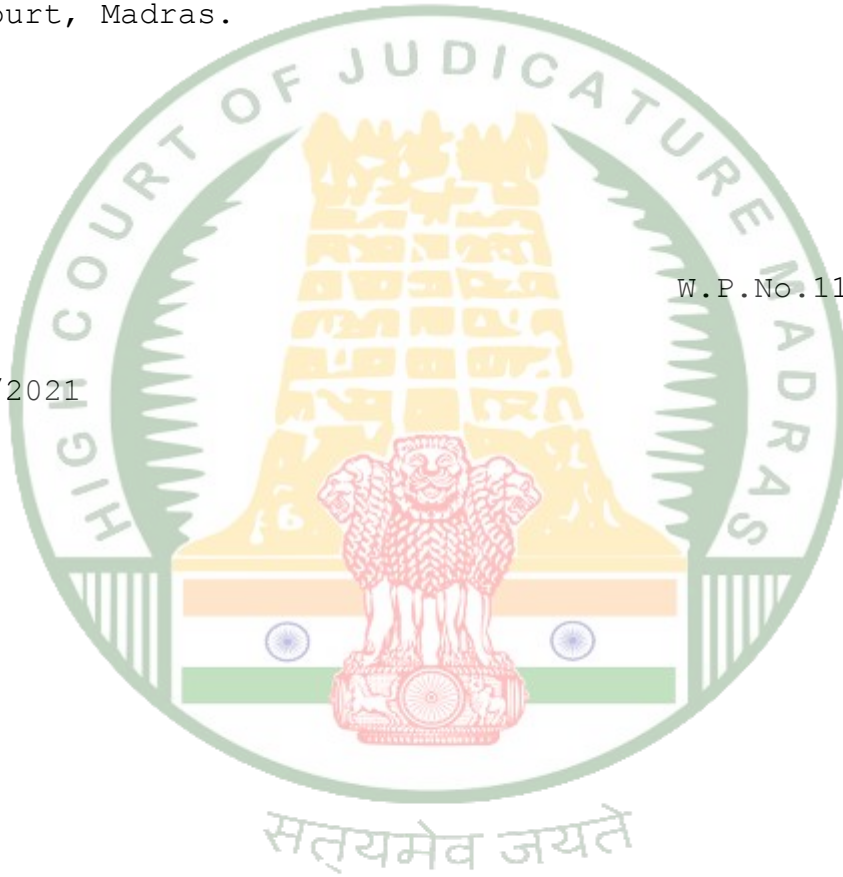
1. The Commissioner of Police,
Coimbatore City,

Coimbatore - 641 018.

2. The DIG of Prisons,
Coimbatore Range,
Central Prison,
Coimbatore - 641 018.
3. The Superintendent of Prisons,
Central Prison,
Coimbatore - 641 018.
4. The Public Prosecutor,
High Court, Madras.

W.P.No.11744 of 2021

SR(CO)
baf 12/05/2021



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