

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.05.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN
AND
THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

WP.No.11906/2021 & WMP.No.12656/2021
[Video Conferencing]

S.Ilamparuthi Petitioner/Convict

Versus

- 1.The State rep.by its
Home Secretary [Prison]
Home Department, Secretariat
Fort St George, Chennai 600 009.
- 2.The Director General of Prison and
Inspector General of Prison, Whannels
Road, Egmore, Chennai 600 008.
- 3.The Deputy Inspector General of Prisons
[Chennai Range], Office of DIG [Range]
Whannels Road, Egmore, Chennai-600 008.
- 4.The Superintendent of Prison
Puzhal Central Prison-1,
Puzhal-600 066.

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus to call for the records and quash the impugned order in No.6923/t.k.1/2020 dated 17.03.2021 passed by the 4th respondent and to grant one month leave without escort to the convict namely Mr.S.Ilamparuthi, S/o.Late Selvaraj [CT.No.6923] now confined in Central Prison at Puzhal-1.

For Petitioner : Mr.M.Mohamed Saifulla

For Respondents: Mrs.P.Kritika Kamal
Govt. Advocate [Crl.Side]

ORDER

- (1) This writ petition has been filed in the nature of a certiorarified mandamus to quash the impugned order in No.6923/t.k.1/2020 dated 17.03.2021 which had been passed by the 4th respondent herein.

- (2) The petitioner herein, a convict, [CT.No.6923], had sought for thirty days ordinary leave to him without escort by submitting a representation dated 11.02.2021. The reasons have been set out in the said representation. Subsequently, the Hon'ble Supreme Court of India was also seized of similar matters and they have given directions or rather opined that representations of this nature should be considered in the light of the directions given by them.
- (3) The 4th respondent may, therefore, reconsider the entire issue in the light of the judgment of the Hon'ble Apex Court with respect to releasing of the prisoner/convict.
- (4) The impugned order dated 17.03.2021, is therefore, set aside and a direction is given to the 2nd respondent to once again pass orders based on the facts and in any way, the said order is to be passed on or before 21.05.2021.
- (5) The writ petition stands disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The Home Secretary [Prison]
State of Tamil Nadu
Home Department, Secretariat
Fort St George, Chennai 600 009.
- 2.The Director General of Prison and
Inspector General of Prison, Whannels
Road, Egmore, Chennai 600 008.
- 3.The Deputy Inspector General of Prisons
[Chennai Range], Office of DIG [Range]
Whannels Road, Egmore, Chennai-600 008.
- 4.The Superintendent of Prison
Puzhal Central Prison-1,
Puzhal-600 066.

WP.No.11906/2021