

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.05.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH
and
The HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

Writ Petition No.12002 of 2021

Rajeshwari

.... Petitioner

Vs

The State rep. By
The Superintendent of Prison,
Puzhal, Central Prison - I, Puzhal - 600 066.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus directing the respondent to grant two weeks leave to the convict namely Mr.Rahuman, S/o Jahir Hussain, aged about 34 years (C.T.No.5249), now confined in Puzhal Central Prison - I (convict) for making arrangements and participating in his father's 40th day demise ceremony.

For Petitioner : Mr.Mohammed Saifulla

For Respondent : Mr.R.Muniyapparaj,

Government Advocate (Crl. Side)

O R D E R

(Order of the Court was made by Dr.ANITA SUMANTH,J.)

This Writ Petition is filed by the wife of the convict namely Mr.Rahuman, S/o Jahir Hussain, aged about 34 years (C.T.No.5249), now confined in Puzhal Central Prison - I (convict) seeking Writ of Mandamus for the grant of two weeks leave for making arrangements and participating in his father's 40th day ceremony.

2. When the matter had come up for hearing on 19.05.2021, learned Government Advocate, who accepted notice for the respondent, had stated that the prayer had come to be rejected by order dated 12.05.2021. He sought a day's time to place a copy of the said order on record and obtain instructions.

3. Today, when the matter is taken up for hearing, learned Government Advocate, while placing a copy of order

dated 12.05.21 on record, would state, on instructions, that three days leave may be granted to the detenu with escort.

4. Learned counsel for the petitioner would state that the 40th day ceremony of the detenu's father falls on 27th of May, 2021.

5. Recording the submissions of the learned Government Advocate, three days leave, i.e., from 26.05.2021 to 28.05.2021 is granted, with escort. The detenu is permitted to leave the prison at 9 a.m. in the morning of 26.05.2021 with escort and report back to the prison by 5.00 p.m. on 28.05.2021. All applicable Rules and Regulations be followed.

6. The Writ Petition is disposed in the aforesaid terms. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Superintendent of Prison,
Puzhal, Central Prison - I, Puzhal - 600 066.
- 2.The Public Prosecutor,
High Court, Madras.

Copy To

- 1.The Secretary to Government of Tamilnadu,
Home Department, Fort.St. George,
Chennai-9.
2. The Joint Secretary to Government,
Public (law & Order), Fort Saint George,
Chennai 9.
- 3.The Director General of Prison and
Inspector General of Prison,
Egmore, Chennai - 8.

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BP(CO)

GN(29/06/2021)