

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.05.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

and

The HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

Writ Petition No.12033 of 2021

Selvakani

... Petitioner

Vs

The state rep by
The Superintendent of Prison,
Central Prison at Puzhal - I, Thiruvallur - 066.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus directing the respondent to grant 06 days emergency leave without escort to the petitioner's husband namely Daniel, S/O Johnyovan Nadar aged about 59 years, now confined in Central Prison at Puzhal - I.

For Petitioner : Mr.M.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.)

Mr.R.Muniyapparaj, learned Government Advocate accepts notice for the respondent and is armed with instructions to proceed with the matter. Hence, by consent of both sides, this Writ Petition is disposed finally even at the stage of admission.

2. The petitioner seeks a mandamus directing the respondent, i.e., the Superintendent of Prison to grant 6 days emergency leave without escort to her husband, namely Daniel, S/o Johnyovan Nadar, aged about 59 years, now confined in

Central Prison at Puzhal - I. She has sent multiple representations to the authorities in this regard.

3. When the matter is called, learned Government Advocate would state that the representation of the petitioner has come to be considered and rejected by order dated 08.04.2021 on the ground that the petitioner is in sound health and thus there is no justification for the grant of leave as sought for.

4. Since the petitioner has only sought a mandamus, the scope thereof is limited, and with the passing of order dated 08.04.2021, the mandamus sought for stands achieved. This Writ Petition is thus rendered infructuous and closed as such. However, the petitioner is at liberty to take such action as may be deemed necessary to either challenge the order of rejection dated 08.04.2021 or to approach the High Power Committee seeking relief that the petitioner may desire, in accordance with law. No costs.

Sd/-

Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

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To

1.The state rep by
The Superintendent of Prison,
Central Prison at Puzhal - I, Thiruvallur - 066.

2.The Public Prosecutor
High Court Madras-104.

Writ Petition No.12033 of 2021

KK(CO)
RMP(10/06/2021)

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