

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.05.2021

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE C. SARAVANAN

W.P.No.12102 of 2021

A. Asina Banu

... Petitioner

Vs

1. The DGP & I.G. of Prisons
Prisons Head Quarters
Egmore, Chennai 600 008.

2. The Superintendent of Prison
Central Prison, Cuddalore -2

... Respondents

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 of the petitioner dated 23.05.2021 and to extend the ordinary leave for a period of 15 days from 26.05.2021 to 10.06.2021 to the petitioner's husband Mr.Javeed Basha, Son of Saleem Basha, Convict Prisoner, Central Prison, Cuddalore, now on leave.

For Petitioner : Mr.P.Pugalenthiraj

For Respondents: Mr.R.Muniyapparaj
Additional Public Prosecutor

O R D E R

[Order of this Court was made by DR.G.JAYACHANDRAN,J]

The prayer in the writ petition is for issue of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 23.05.2021 and to extend the ordinary leave for a period of 15 days from 26.05.2021 to 10.06.2021 to the petitioner's husband Mr.Javeed Basha, Son of Saleem Basha, Convict Prisoner, Central Prison, Cuddalore, now on leave.

2.The petitioner's husband/detenu was already granted leave for five days from 22.05.2021 to 26.05.2021 to attend his father's funeral. Now this petition is filed for extension of

the leave so that he can attend his father's 16th day ceremony which is fixed on 01.06.2021.

3. The learned Additional Public Prosecutor submits that leave in extraordinary circumstances can be granted only in case of death of the parents and not for the other ceremonies connected to the death.

4. Taking note of the submission made by the learned Additional Public Prosecutor appearing for the respondents, this Court is not inclined to extend the ordinary leave to the petitioner's husband. Accordingly, this writ petition is dismissed.

5. However, any representation given by the petitioner may be considered by the Jail authorities, as per law. No costs.

Sd/-

Assistant Registrar (VO)

//True Copy//

Sub Assistant Registrar

dpq/vga

To

1. The DGP & I.G. Of Prisons
Prisons Head Quarters
Egmore, Chennai 600 008.
2. The Superintendent of Prison
Central Prison, Cuddalore -2
3. The Public Prosecutor,
High Court, Madras.

W.P.No.12102 of 2021

PP (CO)
CB (03/06/2021)

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