

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2021

CORAM

THE HON'BLE MR.JUSTICE N.SATISH KUMAR

W.P.No.12155 of 2021

and

W.M.P No.12941 of 2021

Maheshwari

... Petitioner/Petitioner

Vs.

1.The State of Tamil Nadu

Rep. by The Principal Secretary to Government
Home, Prohibition & Excise Department
Chennai-600 009.

2.The District Collector and District Magistrate
(Authorised Officer)
Thiruvallur
Thiruvallur District.

3.The Superintendent of Police
Thiruvallur
Thiruvallur District

4.The Chief Superintendent of Jail
Puzhal Central Prison
Chennai

5.The Inspector of Police
Ponneri Police Station
Thiruvallur District.

(in Cr.No.3096 of 2020) ... Respondents/Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 23.04.2021 and pass orders on the same by considering the urgent requirement of the detinue namely Magesh for fertility medical treatment within the time stipulated by this Court.

For Petitioner : Mr.J.Parthiban
for Mr.L.K.Charles Alexander

For Respondents : Mr.A.Damodaran
Counsel for Government of Tamil Nadu
(Crl.Side)

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 23.04.2021.

2.The grievance of the petitioner is that her husband Magesh has been detained under Act 14 of 1982 and he has been confined in Puzhal Central Prison, Chennai, as per the order in B.C.D.F.G.I.S.S.S.V No.64 of 2020 dated 23.11.2020. As against the said detention order, her mother-in-law namely, Rajeswari has filed HCP No.2419 of 2020 and the same is pending for consideration before this Court. The petitioner has sent a detailed representation dated 23.04.2021 to the 1st respondent, but the same was not considered till date. Hence, the petitioner is before this Court.

3. Heard the learned counsel for the petitioner and Mr.A.Damodharan, learned counsel for Government of Tamil Nadu (Crl. Side) appearing on behalf of respondents.

4. Taking into consideration the facts and circumstances of the case, there shall be a direction to the 1st respondent to immediately act on the representation made by the petitioner on 23.04.2021 and deal with the same in accordance with the guidelines issued by this Court in [Sabari @ Sabarigiri Vs. Assistant Commissioner of Police, Anna Nagar, (L&O) Range, Maurai city, Madurai and others] in 2018 4 MLJ Crl. 585 and in [Thirumurugan and another Vs. The Superintendent of Police, Madurai] reported in 2020 2 LW crl 266 and pass appropriate orders, within a period of three weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with a copy of this order.

5. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Secretary to Government
Home, Prohibition & Excise Department
Chennai-600 009.

2.The District Collector and District Magistrate
(Authorised Officer)
Thiruvallur
Thiruvallur District.

3.The Superintendent of Police
Thiruvallur
Thiruvallur District

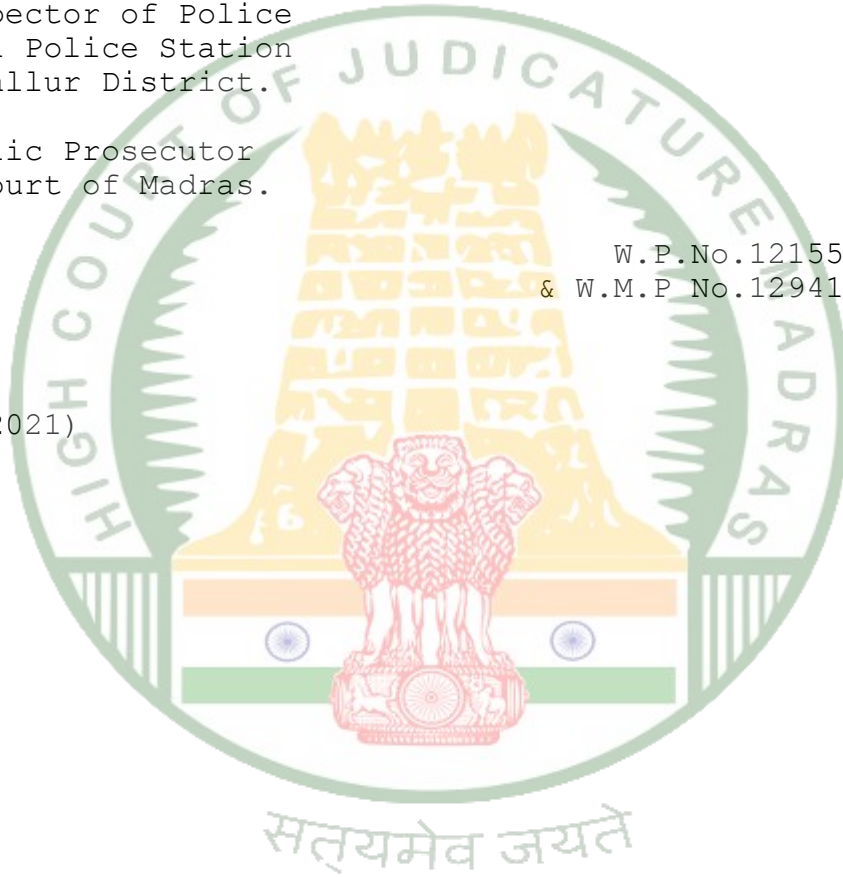
4.The Chief Superintendent of Jail
Puzhal Central Prison
Chennai

5.The Inspector of Police
Ponneri Police Station
Thiruvallur District.

6.The Public Prosecutor
High Court of Madras.

W.P.No.12155 of 2021
& W.M.P No.12941 of 2021

GJ(CO)
GN(30/06/2021)



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