

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.06.2021

CORAM

THE HONOURABLE Mr. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Mr. JUSTICE R.PONGIAPPAN

W.P.No.12464 of 2021

Mohamed Iqbal @ Tamil Magan

.. Petitioner

Vs.

1.The DGP and IG of Prisons,
Gandhi Irvin Road,
Egmore, Chennai - 600 008.

2.The Superintendent of Prison,
Central Prison - I,
Puzhal, Chennai - 600 066.

.. Respondents

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 13.05.2021 and grant 30 days ordinary leave (without police escort) to the petitioner's friend Thangaraj @ Thamizhrasan, son of Mani, aged about 45 years, Convict Prisoner, Ct.No.7925, Central Prison-I, Puzhal, Chennai.

For Petitioner : Mr.P.Pugalenthiraj

For Respondents: Mr.R.Muniyapparaj
Govt. Advocate (Crl. Side)

O R D E R

[Order of the Court was made by P.N.PRAKASH, J.]

It is the case of the petitioner that his friend Thangaraj @ Thamizhrasan is a convict prisoner (No.7925), undergoing sentence in the Central Prison-I, Puzhal. It is his further case that a representation dated 13.05.2021, was given on his behalf for 30 days ordinary leave without police escort under the Tamil Nadu Suspension of Sentence Rules, 1982 and that the authorities have not passed any orders thereon and hence, the present writ petition seeking the aforesaid relief.

2. On instructions, the learned Government Advocate (Crl. Side) submitted that the representation given for ordinary leave is under process and on account of the ongoing pandemic, the prison authorities are not able to get necessary instructions from the Probationary Officer.

In view of the above submission made by the learned Government Advocate (Crl. Side), this writ petition is closed with a direction to the 1st respondent to consider the petitioner's representation dated 13.05.2021 on merits and pass orders in accordance with law, within four weeks from the date of receipt of a copy of this order and serve a copy of the orders so passed, on the petitioner and the convict prisoner as well. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The DGP and IG of Prisons,
Gandhi Irvin Road,
Egmore, Chennai - 600 008.

2.The Superintendent of Prison,
Central Prison - I,
Puzhal, Chennai - 600 066.

3.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

सत्यमेव जयते

W.P.No.12464 of 2021

SSN(CO)
CB(13/07/2021)

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