

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

W.P.No.12387 of 2021

Rabiya,
W/o.Nettai Ibrahim

Petitioner
Wife of the detenu

versus

- 1.The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
- 2.The DIG of Prisons,
Coimbatore Range,
Central Prison, Coimbatore - 641 018.
- 3.The Superintendent of Prisons,
Central Prison,
Coimbatore - 641 018.

Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to direct the respondents to consider the representation dated 28.05.2021 made by the petitioner and to extend the ordinary leave for a period of 30 days to the petitioner's husband Nettai Ibrahim, son of Husain, aged 35 years, Life Convict now confined in Central Prison, Coimbatore, now on leave.

For Petitioner : M/s.S.Nadhiya

For Respondents : Mr.J.C.Duraiaraj
Government Advocate [Crl. Side]

O R D E R

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

This petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 28.05.2021 and to extend the ordinary leave for a period of 30 days to the petitioner's husband Nettai Ibrahim, Son of Husain,

aged 35 years, Life Convict, now confined in Central Prison, Coimbatore.

2. Heard the learned counsel for the petitioner and the learned Government Advocate [Crl. Side] appearing for the respondents.

3. This Court, by order dated 06.05.2021, had granted 30 days leave to the detenu Nettai Ibrahim and that, he is now on leave. This petition has been filed for extension of leave on the ground that the mother of the detenu, is very sick. In the opinion of this Court, such an extension cannot be granted by this Court, especially when the leave itself is an issue, which has to be decided only by the Prison Authorities. Hence, this petition is dismissed and the detenu is directed to surrender before the Prison Authorities immediately, failing which, steps can be taken to secure him. No costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

sri

To

- 1.The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
- 2.The DIG of Prisons,
Coimbatore Range,
Central Prison, Coimbatore - 641 018.
- 3.The Superintendent of Prisons,
Central Prison,
Coimbatore - 641 018.
- 4.The Public Prosecutor,
High Court, Madras.

W.P.No.12387 of 2021

UM(CO)
CB(12/07/2021)