



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.06.2021

CORAM

THE HONOURABLE Mr. JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mr. JUSTICE R.PONGIAPPAN

W.P.No.13205 of 2021

C.Shanti

...Petitioner

Vs.

1.The Secretary to Government
Home, Prohibition and Excise Department
Fort St.George
Chennai-9

2.The Superintendent
Puzhal Central Prison
Puzhal, Chennai-66

...Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the 2nd respondent herein to grant leave for the period of 30 days to petitioner's husband, convict prisoner namely Chaval Shimanram @ Rahul, S/o. Shimanram, aged about 41 years, Convict No.6219 is now confined at Puzhal Central Prison, Chennai for attending his son's marriage which is scheduled to be held on 20.06.2021 at Bhatiyoka Chowk Dhundhar (Jodhpur), Rajasthan State.

For Petitioner : Mr.J.Prakasam

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 her husband viz., Chaval Shimanram @ Rahul (convict prisoner No.6219) is confined



in Central Prison, Puzhal and an application dated 14.06.2021 has been given to the Superintendent of Central Prison, Puzhal, for ordinary leave under the Tamil Nadu Suspension of Sentence Rules, 1982, which has not been disposed of till date and therefore, this writ petition has been filed with the above prayer.

2. The learned Government Advocate (Crl. Side) submitted that the application is pending, but, the convict prisoner has only four more months to complete the period of sentence.

3. The learned counsel for the petitioner contended that the convict prisoner was released on interim bail by the Supreme Court, by order dated 27.11.2020, and after availing of interim bail, the convict prisoner surrendered before the authorities which only shows that he would not abscond and that this fact may be borne in mind by the 2nd respondent, while considering the leave application of the convict prisoner.

4. The aforesaid submission of the learned counsel for the petitioner does have substance and accordingly, we direct the 2nd respondent to dispose of the application within a period of one week from the date of receipt of a copy of this order in accordance with law.

With the above direction, this Writ Petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gya

To

1.The Secretary to Government
Home, Prohibition and Excise Department
Fort St.George,
Chennai-9.

2.The Superintendent
Puzhal Central Prison
Puzhal, Chennai-66



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

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