



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice R.PONGIAPPAN

W.P.No.13528 of 2021

Shobana,
W/o.Babu,
87/3, Arulal Eashwarar Koil Street,
Sengunthar Pettai, Madhuranthagam,
Chengalpet District.

...Petitioner

Vs

1.The Inspector General of Prison,
Thalamuthunadraj Building,
Gandhi-Irwin Road,
Egmore, Chennai.

2.The Superintendent of Prison,
Central Prison, Coimbatore.

...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 special leave for a period of 6 days to the petitioner's husband Babu, son of Kesavan, aged about 30 years, (C.P.No.14988), now confined in Central Prison, Coimbatore, pursuant to the representation dated 21.06.2021 given to the respondents.

For Petitioner : Mr.M.Rajkumar

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

ORDER

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

This writ petition has been filed seeking to direct the 2nd respondent herein to grant special leave for a period of 6 days to the petitioner's husband Babu, son of Kesavan, aged about 30 years, (C.P.No.14988), now confined in Central Prison, Coimbatore, pursuant to the representation dated 21.06.2021 given to the respondents.

2. It is the case of the petitioner that her husband Babu,



son of Kesavan, is a Convict Prisoner (C.P.No.14988) and is confined in Central Prison, Coimbatore. An application for leave under the Tamil Nadu Suspension of Sentence Rules, 1982, was submitted to the authorities for the release of Babu on emergency leave.

3. According to the petitioner, the said application has not been considered by the authorities.

4. However, today, when the matter was taken up for hearing, the learned Government Advocate (Crl.Side) submitted that the leave application was considered and an order dated 23.06.2021 has been passed whereby, the convict prisoner has been given three days leave, but, on account of COVID-19 lock down in Coimbatore District, the prison authorities were not able to release the convict prisoner from the prison to avail leave.

5. The fact remains that the Government of Tamil Nadu has relaxed the COVID-19 lock down rules in several districts, but, in Coimbatore District, the relaxation has not been given. Therefore, we direct the prison authorities to give effect to the order dated 23.06.2021 as soon as the State Government relaxes the lock down regulations in Coimbatore District.

With the above direction, this writ petition stands closed.
No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Inspector General of Prison,
Thalamuthunadrajara Building,
Gandhi-Irwin Road,
Egmore, Chennai.

2.The Superintendent of Prison,
Central Prison, Coimbatore.

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

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PCH(CO)
RVM(23/07/2021)