



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2021

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P.No.16013 of 2021

Anees Unnissha

.. Petitioner

Vs.

1. The Deputy Inspector General of Prison
Prison Department
Gandhi Irwin Road
Egmore, Chennai-8
2. The Superintendent of Prison
Central Prison
Vellore.
3. The Commissioner of Police
Greater Chennai
Vepery, Chennai-7

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus directing the respondents herein to consider the representation made on 24.07.2021 for one month leave to the petitioner's husband Sadiq Basha, S/o.Saleem Basha (convict prisoner No.3315).

For Petitioner : Mr.R.Rajan

For Respondents : Mr.R.Muniyapparaj
Government 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., Sadiq Basha is a convict prisoner (CT.No.3315) and is lodged in the Central Prison, Vellore; she gave a representation dated 24.07.2021 to the prison authorities for grant of ordinary leave



to her husband under the Tamil Nadu Suspension of Sentence Rules, 1982, but the same has not been considered by them; therefore, this writ petition has been filed.

2. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that a representation dated 24.07.2021 that was given by the petitioner was received by the prison authorities on 26.07.2021 and the same was considered and rejected on 26.07.2021, on the short ground that Sadiq Basha was granted 30 days leave from 27.05.2021 and that he returned to the prison on 27.06.2021. Therefore, under Rule 22(3) of the Tamil Nadu Suspension of Sentence Rules, 1982, he will not be entitled to ordinary leave once again, before the expiry of two years from 27.06.2021.

In view of the above, this writ petition is dismissed as being devoid of merits. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gya

To

1. The Deputy Inspector General of Prison
Prison Department
Gandhi Irwin Road
Egmore, Chennai-8
2. The Superintendent of Prison
Central Prison
Vellore
3. The Commissioner of Police
Greater Chennai
Vepery, Chennai-7

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AJS (CO)
HS (31/08/2021)