



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

WRIT PETITION NO.24361 OF 2021

S.Suguna
W/o.Seenivasan

.. Petitioner

Vs.

State of Tamil Nadu
represented by
The Superintendent of Prisons,
Tamil Nadu Prison Department,
Puzhal, Chennai.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to grant emergency leave to the convict prisoner viz., Appu alias Rajendran (Prison Number No:CT6817AB-1) for a period of 10 days.

For Petitioner : Prof.M.Udhayabanu

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

This petition has been filed seeking issuance of a Writ of Mandamus directing the respondent to grant emergency leave to the convict prisoner viz., Appu alias Rajendran (Prison Number No:CT6817AB-1) for a period of 10 days.

2. The petitioner's son Appu @ Rajendran is a convict prisoner (CT No.6817), who is undergoing the sentence imposed on him in the Central Prison I, Puzhal, Chennai. The petitioner gave an application for emergency leave for 10 days under the



Tamil Nadu Suspension of Sentence rules for granting leave to her son Appu @ Rajendran on the ground that the petitioner is physically indisposed. Thereafter, the petitioner has filed the present Writ Petition seeking the aforesaid relief.

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3. When the matter was taken up for hearing, learned counsel for the petitioner and the learned Additional Public Prosecutor submitted that the leave application of the petitioner has been rejected by the Superintendent, Central Prison I, Puzhal, by order dated 13.10.2021, on the ground that emergency leave cannot be granted for 10 days at a stretch.

4. In such view of the matter, liberty is granted to the petitioner to file a fresh emergency leave application supported by sufficient medical certificates to show that the petitioner (mother of the detenu) is seriously ill as envisaged in Rule 6 of the Tamil Nadu Suspension of Sentence rules and on such application being given, the same would be considered on merits expeditiously by the prison authorities.

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

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Superintendent of Prisons,
Tamil Nadu Prison Department,
Puzhal, Chennai.

2. The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.D.Percivul Pericles, Advocate, S.R.No.62717

Writ Petition No.24361 of 2021

CA(CO)
RLP(16/12/2021)