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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

Coram

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

Writ Petition No.27489 of 2021

N.Chitra
W/o.Nandhagopal

.. Petitioner

Vs.

The Superintendent of Prison,
Central Prison,
Salem.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to grant six days emergency leave by considering the petitioner's representation dated 24.11.2021 and release her son Nirmal Kumar s/o.Nandha Gopal, aged 35 years, [CT No.8669], now confined at Central Prison, Salem.

For Petitioner : Mr.P.Pugalendhi
for Ms.S.Nadhiya

For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor

O R D E R

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

Seeking emergency leave for six days for the convict prisoner Nirmal Kumar s/o.Nandha Gopal, aged 35 years, [CT No.8669], the petitioner gave a representation dated 24.11.2021 to the respondent and has, thereafter filed the present petition for a mandamus to the authorities to grant emergency leave.

2. When the matter was taken up for hearing, learned Additional Public Prosecutor brought to the notice of this Court the order dated 20.12.2021 passed by the Superintendent of Prison, Salem, rejecting the representation of the petitioner



and advising the petitioner to file a fresh application with sufficient medical records for consideration of emergency leave. A copy of the order dated 20.12.2021 is furnished to the learned counsel for the petitioner across the bar.

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3. In the aforestated circumstances, this Court directs the petitioner to file a fresh application seeking emergency leave with sufficient medical records and in the event of such an application being filed, the respondent shall consider the same expeditiously.

This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

gm

To

1.The Superintendent of Prison,
Central Prison,
Salem.

2.The Public Prosecutor,
High Court, Madras.

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BP (CO)

PR (27/12/2021)