



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.03.2021

CORAM:

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P (MD)No.1583 of 2021

N.Lakshmi : Petitioner
.vs.

1.The State represented by
Deputy Inspector General of Prison,
Madurai Range,
Central Prison Campus,
Arasaradi,
Madurai.

2.The Superintendent of Prison,
Central Prison,
Arasaradi,
Madurai.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant leave for a period of 2 months to the petitioner's husband, namely, K.Nagasamy, who is a life convict confined at Central Prison, Madurai (Now taking treatment in Meenakshi Mission Hospital, Madurai) to take special treatment in the private hospital based upon the petitioner's representation, dated 25.01.2021 or at Madurai to any competent private hospital.

For Petitioner

:Mr.K.Prabhu

For Respondents

:Mr.R.Anandharaj

Additional Public Prosecutor

O R D E R

[Order of the Court was made by **K.KALYANASUNDARAM.,J.**]

The petitioner has come forward with this writ petition for issuance of writ of mandamus directing the respondents to grant leave to her husband, namely, K.Nagasamy, who is a life convict confined at Central Prison, Madurai for a period of two months for taking treatment at Meenakshi Mission Hospital, Madurai based on her



representation, dated 25.01.2021.

2. The petitioner would claim that her husband was suffering from Thyroectomy and he was taking treatment originally at Prison Hospital, Madurai and thereafter, at Government Rajaji Hospital, Madurai. She further stated that the jail authorities themselves permitted her husband to take treatment at Meenakshi Mission Hospital, Madurai on 25.12.2016 and surgery was conducted. The grievance of the petitioner is that her husband was not permitted to go for a review at private hospital and hence, this writ petition has been filed.

3. This Court, after perusing the records, vide order dated 29.01.2021, extended the leave for a period of two weeks to enable him to continue his treatment in a private hospital. The period was subsequently, extended by another four weeks on 15.02.2021.

4. The learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents would state that treatment for the convict is already completed and now, he is taken back to Prison Hospital, Central Prison, Madurai. It is further stated that since the treatment was already completed the petitioner does not require further leave.

5. In the light of the above facts, we are of the opinion that the prayer sought for in the writ petition has become infructuous and hence, this petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Deputy Inspector General of Prison,
Madurai Range,
Central Prison Campus,
Arasaradi,
Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Superintendent of Prison,
Central Prison,
Arasaradi,
Madurai.

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+1 CC to M/s.K.PRABHU, Advocate (SR-11744[F] dated 17/03/2021)

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ES (CO)

KK(30.03.2021) 3P 4C