



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.07.2021

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)NO.10939 of 2021

Murugeshwari

:Petitioner

.vs.

1.The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St.George,
Chennai - 600 009.

2.The Additional Director General of Prison,
C.M.D.A Towers,Egmore,
Chennai - 600 008.

3.The Superintendent of Prison,
Madurai Central Prison,
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 consider the representation dated 26.4.2021 for premature release of the Petitioner's father in the light of G.O.Ms.No.64, dated 1.12.2018 passed by the first respondent and consequently to direct the respondents to release him forthwith.

For Petitioner : Mr.EdinBrough

For Respondents : Mr.S.Ravi
Standing Counsel for the State

O R D E R

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

The Petitioner has come forward with this Writ Petition seeking for a direction to the respondents to consider her representation, dated 26.04.2021 for premature release of her father in the light of G.O.Ms.No.64 of 2018, dated 1.12.2018.



2.Mr.P.EdinBrough, learned counsel for the Petitioner would submit that the Petitioner's father Pandi @ Jimmi Pandi was found guilty for the offence of murder in S.C.No.126 of 2007 by the Principal District and Sessions Judge, Madurai and he was sentenced to undergo life imprisonment. The judgment and order was confirmed by this Court in Crl.A(MD)No.515 of 2007. According to the learned counsel, the convict Jimmi Pandi has been in judicial custody for about 13 years. But the representation of the Petitioner for premature release of the convict Jimmi Pandi was not considered.

3.It is the submission of the learned counsel for the Petitioner that it would suffice if a direction is given to the first respondent to pass orders on the representation of the Petitioner.

4.Per contra, Mr.S.Ravi, learned Standing Counsel for the State appearing for the respondents, on instructions, would state that the representation of the Petitioner is pending before the first respondent and it will be disposed of in accordance with law.

5.Considering the nature of the prayer sought for in the Writ Petition and the submissions of the learned counsels appearing on either side, this Court, without going into the merits of the matter, directs the first respondent to consider the representation of the Petitioner, dated 26.4.2021 on merits and in accordance with law and pass orders within a period of 12 weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands disposed of. No costs

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

To

1.The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St.George,
Chennai - 600 009.



2.The Additional Director General of Prison,
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Chennai - 600 008.

3.The Superintendent of Prison,
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Madurai.

ORDER MADE IN
W.P (MD) No.10939 of 2021
19.07.2021

RKN (29.07.2021) 3P 4C