



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN
and
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.14605 of 2021

U.Thavamani ... Petitioner

-vs-

1.The Home Secretary,
Home Department,
Secretariat, Fort St.George,
Chennai.

2.The Additional Director General of Prisons,
Wanels Road,
Egmore, Chennai - 8.

3.The Superintendant of Central Jail,
Madurai Central Prison,
Madurai District.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 09.08.2021 submitted to first respondent for premature release of the petitioner's husband S.Udayali extending the benefit of the G.O.M.S.No.64, Home (Prison), dated 01.02.2018 Live Convict No.3388 detained in the Central Jail, Madurai and undergoing the Life Sentence in S.C.No.231 of 1998 on the file of the Principal Sessions Judge, Madurai.

For Petitioner : M/s.W.Pamelin
For Respondents : Mr.S.Ravi
Standing counsel for the State

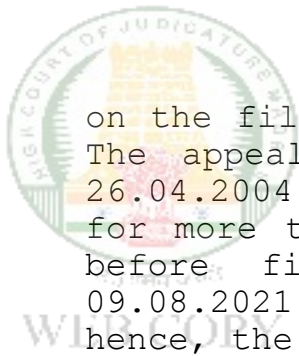
O R D E R

(Order of the Court was made by V. BHARATHIDASAN, J.)

Mr.S.Ravi, the learned Standing counsel takes Notice for the respondents.

2. The petitioner's husband, viz., Udayali, convicted for the offence under Sections 376(1) and 302 IPC., in S.C.No.231 of 1998,

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on the file of the Principal Sessions Court, Madurai on 24.06.2004. The appeal filed him also was also dismissed by this Court on 26.04.2004. Alleging that the petitioner husband detained in prison for more than 22 years, the petitioner has made a representation before first respondent, seeking for premature release, on 09.08.2021. The said application has not been considered so far and hence, the present petition has been filed.

3. The learned counsel appearing for the petitioner submits that the petitioner will be satisfied, if the first respondent consider the petitioner's representation, dated 09.08.2021, within the time limit to be stipulated by this Court.

4. Considering the limited scope of the relief sought for by the petitioner, without going into the merits case, the first respondent is directed to consider the petitioner's representation, dated 09.08.2021, and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, the Writ Peittion stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mpk/ebsi

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 Home Secretary,
Home Department,
Secretariat, Fort St.George,
Chennai.

2.The Additional Director General of Prisons,
Wanels Road,
Egmore, Chennai - 8.

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3. The Superintendant of Central Jail,
Madurai Central Prison,
Madurai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.W.PAMELIN, Advocate (SR-26539[F] dated 17/08/2021)

W.P.(MD) No.14605 of 2021
DATED : 17.08.2021

GC (27.08.2021) /3P/6C