



WEB COPY

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.16975 of 2020

and

WMP (MD) No.14197 of 2020

P.Rukmani

... Petitioner

-vs-

- 1.The State of Tamil Nadu,
Represented by its
Additional Chief Secretary,
Home (Prison) Department,
Secretariat, St. George Fort,
Chennai - 600 009
2. The Director General of Prisons
and Correctional Services,
Tamil Nadu Prisons and
Correctional Services Department,
No.6, Whannels Road, Egmore,
Chennai - 600 008.
3. The Deputy Inspector General of Prisons,
Office of the DIG of Prisons Madurai Range,
Madurai - 625 016.
4. The Superintendent of Prison,
Central Prison, Madurai,
Madurai- 625 016.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorarified Mandamus, to call for the records connected with the impugned order dated 19.11.2020 issued by the Respondent No.3 and quash the same as illegal and consequently direct the respondents to sanction a) A one month ordinary leave immediately under Rule 20 (iv) and 22(2) of the Tamil Nadu Suspension of Sentence Rules, 1982 OR b) An emergency leave immediately under Rule 6 to 13 of the Tamil Nadu Suspension of Sentence Rules, 1982 with or without police escort in civil dress to petitioner's son Bala @ Balamurugan, S/o.Paramasivam, LCP No.5382 as now confined at Madurai Central Prison for performing his marriage which is



scheduled to be held on 27.11.2020 and to take care of his ailing father, in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Alagumani
For Respondents : Mr.S.Ravi
Standing counsel for the State

WEB COPY

O R D E R

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

Today when the matter is taken up for hearing, learned counsel appearing for the petitioner seeks permission of this Court to withdraw this petition with liberty to approach the Authorities, to make a fresh representation, seeking for ordinary leave.

2. In view of the submission made by the learned counsel appearing for the petitioner, this Writ Petition is dismissed as withdrawn with liberty to the petitioner to make a fresh representation, seeking for ordinary leave to the Authority. If any such application is filed, the Authority is directed to consider the same and pass suitable orders on merits, within a reasonable time, preferably, within a period of two weeks from the date of receipt of such representation. No costs. Consequently, connected miscellaneous petition is closed.

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 Additional Chief Secretary,
State of Tamil Nadu,
Home (Prison) Department,
Secretariat, St. George Fort,
Chennai - 600 009



2. The Director General of Prisons
and Correctional Services,
Tamil Nadu Prisons and
Correctional Services Department,
No.6, Whannels Road, Egmore,
Chennai - 600 008.
3. The Deputy Inspector General of Prisons,
Office of the DIG of Prisons Madurai Range,
Madurai - 625 016.
4. The Superintendant of Prison,
Central Prison, Madurai,
Madurai- 625 016
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD) No.16975 of 2020
DATED : 17.08.2021

PS (CO)
SB(26.08.2021) 3P 6C