



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 21.09.2021

CORAM

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

W.P(MD)No.17081 of 2021

K.V.Komarasamy

... Petitioner/Father of the detenu

Vs.

The State represented by its

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

2.The Deputy Inspector General of Prison,
Madurai Zone, Central Prison),
Madurai-625 016.

3.The Superintendent,
Central Prison,
Palayamkottai-627 007.

... 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 ordinary leave for one month without escort to the detenu, Balu @ Dhanapal, S/o Komarasamy, aged about 41 years, life convict prisoner, bearing Convict No.4577, confined at Central Prison Palayamkottai.

For Petitioner :Mr.S.Manoharan

For R1 and R2 :Mr.S.Ravi

Additional Public Prosecutor

ORDER

This petition is filed for issuance of Writ of Mandamus directing the respondents to grant ordinary leave for one month without escort to the detenu, Balu @ Dhanapal, S/o Komarasamy, aged about 41 years, life convict prisoner, bearing Convict No.4177, confined at Central Prison Palayamkottai.



2. The petitioner herein is the father of the life convict namely, Balu. It is averred in the petition that the petitioner's wife met with an accident in the year 2019 and thereafter, her health condition became deteriorated and subsequently her health condition got worsened. Now she is suffering from multiple joint pain and swelling in the joints and limbs and she has become totally bedridden. According to the petitioner, due to deteriorating health and financial status, the detainee's mother is currently lacking moral and financial support and therefore, the detainee may be granted one month ordinary leave without escort.

3. In this regard, the petitioner has sent a representation to the respondents on 01.09.2021. Since no further order has been passed by the respondents, the petitioner is before this Court.

4. Considering the fact that the representation sent to the first respondent is pending, the third respondent is directed to consider the representation of the petitioner and pass suitable orders on merits and in accordance with law within a period four weeks from the date of receipt of a copy of this order.

5. With the above direction, this petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

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

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



2.The Deputy Inspector General of Prison,
Madurai Zone, Central Prison),
Madurai-625 016.

3.The Superintendent,
Central Prison,
Palayamkottai-627 007.

+1 CC to M/s.S.MANOCHARAN, Advocate (SR-29965[F] dated 22/09/2021)
W.P (MD)No.17081of 2021
21.09.2016

MGJ(05.10.2021) 3P 5C