



WEB COPY

W.P.(MD) No.19410 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.(MD)No.19410 of 2021
and
W.M.P(MD) .No.16140 of 2021

M.Pushpa

... Petitioner

Vs.

1.The State of Tamilnadu represented by its,
The Secretary to Government,
Home (Prisons-IV) Department,
Secretariat, Fort St. George,
Chennai-600 009.

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

3.The Superintendent of Prison,
Central Prison, Madurai.

4.The District Collector,
Madurai District, Madurai.

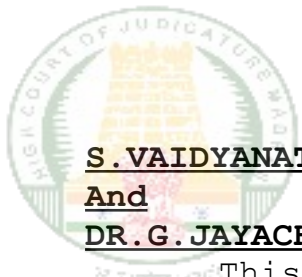
5.The Dean,
Rajaji Government Hospital,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 to 4 to release the petitioner's brother, Sundar @ Pallusundaran, S/o.Seeni Asari L.C.T.No.3785, aged 50 years, who confined at Madurai Central Prison under Rule 632, 633, 635 and 636 of Tamil Nadu Prison Rules.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor



O R D E R

S.VAIDYANATHAN, J.

And

DR.G.JAYACHANDRAN, J.

This petition has been filed by the sister of the life convict, namely, Sundar @ Pallusundaran, S/o.Seeni Asari L.C.T.No.3785, aged 50 years, who confined at Madurai Central Prison.

2. The life convict, undergoing imprisonment for more than 10 years and eligible for a premature release, is before this Court seeking for premature release on the ground of health condition.

3. The learned Additional Public Prosecutor today brought to the notice of this Court that on 15.11.2021, the Government has passed G.O(Ms)No.488 wherein the Director General of Police/Director General of Prisons and Correctional Services, Chennai is requested to examine the cases of life convict prisoners on a case to case basis as per the guidelines framed under this Government Order issued for releasing the convict prematurely under Article 161 of the Constitution of India in commemoration of the 113th birthday of Dr.Peraringnar Anna.

4. The learned Additional Public Prosecutor further stated that pursuant to this Government Order, the case of the life convict Sundar @ Pallusundaran, S/o.Seeni Asari has been taken up for consideration by the prison authorities and the case of the petitioner's brother, life convict (LCT 3785) is to be taken up for consideration in the Advisory Board meeting, which is scheduled to be convened before the end of December, 2021.

5.The learned Additional Public Prosecutor submits that immediately after the report of the advisory board is received, the Government will act upon it and intimate their decision to the convict and the petitioner herein.

6. Recording the same, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed. In case, if the life convict is in need of any emergent medical assistance, the prison authority can take conscious decision based on his medical report and provide necessary medical assistance to the life convict.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 to Government,
State of Tamilnadu,
Home (Prisons-IV) Department,
Secretariat, Fort St. George,
Chennai-600 009.

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

3.The Superintendent of Prison,
Central Prison,
Madurai.

4.The District Collector,
Madurai District,
Madurai.

5.The Dean,
Rajaji Government Hospital,
Madurai

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

**W.P. (MD) No.19410 of 2021
25.11.2021**

nsn(CO)
TR(14.12.2021) 3P 7C