



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2022

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

Writ Petition No.956 of 2022

G.Srinivasan

S/o.Ganesan

.. Petitioner

Vs.

1.State of Tamil Nadu

represented by
The Chief Secretary,
Government of Tamil Nadu,
Fort St.George, Chennai.

2.Home [Prison-IV] Department,
Government of Tamil Nadu,
represented by its:
Secretary, Fort St.George,
Chennai.

3.The Superintendent of Prisons,
Tamil Nadu Prison Department,
Puzhal, Chennai.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to grant ordinary leave to the convict prisoner Appu @ Rajendran [CT No.6817 AB-1] for a period of 30 days.

For Petitioner : Dr.Percivul Pericles

For Respondents : Mr.R.Muniyapparaj

Additional Public Prosecutor

O R D E R

[Order of the Court was made by P.N.PRAKASH, J]

This petition has been filed seeking a direction to the second respondent to grant ordinary leave to the convict



prisoner Appu @ Rajendran [CT No.6817 AB-1] for a period of 30 days.

2. The convict prisoner in this case is one Appu @ Rajendran [CT No.6817], who is now lodged in the Central Prison, Puzhal, Chennai. His mother died on 11.01.2022 for which, he was granted emergency leave by the prison authorities for attending the funeral. After so attending, the convict prisoner returned to the prison and thereafter, he gave an application dated 18.01.2022 seeking leave to attend the 16th day death ceremony of his mother. Since no orders have been passed on his application, the convict prisoner has filed the present petition through his father G.Srinivasan.

3. During the pendency of this writ petition, the Superintendent of Central Prison I, Puzhal, Chennai, has passed an order dated 21.01.2022 rejecting the leave application of the convict prisoner on the ground that there are no provisions for grant of emergency leave to a convict prisoner for attending the 16th day death ceremony of his deceased close relative. A copy of the order has been sent to the petitioner and a copy has also been furnished to the learned counsel for the petitioner.

4. In view of the above, liberty is granted to the convict prisoner to give a fresh application seeking ordinary leave on the grounds enumerated in Rule 20 of the Tamil Nadu Suspension of Sentence Rules, 1982, with supporting materials and on such application being given, the prison authorities are directed to consider and dispose of the same expeditiously, in any event, within a period of three weeks from the date of receipt of the leave application of the convict prisoner, on merits and in accordance with law.

With the above direction, this Writ Petition is closed.
No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gm

To

1.The Chief Secretary,
Government of Tamil Nadu,
Fort St.George, Chennai.



2.The Secretary,
Home [Prison-IV] Department,
Fort St.George, Chennai.

3.The Superintendent of Prisons,
Tamil Nadu Prison Department,
Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.

Writ Petition No.956 of 2022

MT(CO)
GN(22/02/2022)