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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.05.2022

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

WRIT PETITION NO.12706 OF 2022
AND
W.M.P.NO.12163 OF 2022

G.Manjula
W/o.C.Rajmohan

... Petitioner

.Vs.

1. The State of Tamil Nadu,
Rep. by the Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai - 600 009.
2. The DIG of Prisons,
Coimbatore Range,
Coimbatore - 18.
3. The Superintendent of Prison,
Central Prison,
Salem - 7.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records in the order bearing No.7431/ThaKu3/2021 dated 22.04.2022 passed by third respondent and quashing the same, and directing the respondents to release the petitioner's husband namely Rajmohan S/o.Chandramohan, Ct.No.6584, aged 47 years, now confined in Central Prison, Salem, on 30 days ordinary leave on humanitarian grounds.

For Petitioner : Ms.S.Nadhiya

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor



ORDER

[Made by G.R.SWAMINATHAN, J]

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Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for the respondents.

2. Petitioner's husband is in Central Prison, Salem and serving sentence of 10 years rigorous imprisonment. Petitioner's child is said to be having serious medical ailments. Therefore, a request was made for grant of ordinary leave. The said request was rejected because the threshold condition that a convict has to serve at least three years was not fulfilled in this case. However, the convict may be entitled for emergency leave and an application has also been submitted. The third respondent is directed to pass orders on such application within a period of one week.

Accordingly, this Writ Petition is disposed of. Consequently, connected writ miscellaneous petition is closed. There shall be no order as to costs.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

gm/nsa

To

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.
2. The DIG of Prisons,
Coimbatore Range,
Coimbatore - 18.
3. The Superintendent of Prison,
Central Prison,
Salem - 7.



4. The Public Prosecutor,
High Court, Madras.

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VG-II (CO)
PBS/20/05/2022

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