

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.05.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE C.SARAVANAN

WP.No.13283/2022

Thangam

.. Petitioner

Versus

The Superintendent of Prison
Coimbatore Central Prison
Coimbatore District.

.. Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to grant 6 days emergency leave without escort to petitioner's son namely Vaidhilingam [Convict Prisoner No.22861] son of Velsamy, aged about 34 years who is now confined at Coimbatore Central Prison for arrange and assist his father's medical treatment under Rule 6 of the Tamil Nadu Suspension of Sentence Rules, 1982, by considering petitioner's representation dated 08.05.2022 in accordance with law.

For Petitioner : Mr.Meganathan for Mr.R.Prakash

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.,]

- (1) The relief sought for in the present writ petition is to direct the respondents to grant six days emergency leave without escort to the prisoner, who is the son of the petitioner herein, namely Vaidhilingam, Convict Prisoner No.22861, the detenu herein, who is now confined in the Central Prison, Coimbatore.

- (2) The learned counsel for the petitioner mainly contended that the father of the detenu/prisoner/husband of the petitioner is taking treatment for heart ailments and therefore, seeks leave for six days without protection.
- (3) The period of conviction was three years and the detenu/prisoner has already completed two years and eight months.
- (4) Mr.A.Gokulakrishnan, learned Additional Public Prosecutor appearing for the respondent objected the petition by stating that the prisoner/detenu is not eligible for leave as per the Prison Manual. That apart, Crl.RC.Nos.1099 of 2020 and 1037 of 2020 are also pending before this Court.
- (5) This being the factum, we are not inclined to consider this petition.
- (6) Accordingly, the writ petition stands dismissed.

Sd/-
Assistant Registrar(Vacation Officer)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Superintendent of Prison
Coimbatore Central Prison
Coimbatore District.
2. The Public Prosecutor
High Court, Madras.

WP.No.13283/2022

AJS(CO)
SU(30/05/2022)