



W.P.No.28420 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.28420 of 2022
and

W.M.P.No.27732 of 2022

Karunakaran

... Petitioner

Vs

1. The Director General of Prison,
Head Quarters,
Egmore,
Chennai – 600 008.

2. The District Jail,
Attur,
Salem District

3. The Superintendent of Central Prison,
Cuddalore District,
Cuddalore.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the first respondent to consider the representation of the petitioner dated 18.04.2022 and 16.09.2022 in accordance with law by transferring the petitioner from



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District Jail, Attur, Salem District to central Prison, Cuddalore or Sub Jail, Cuddalore on humane consideration.

For petitioner ... Mr.R.Sankarasubbu

For Respondents ... Mr.L.S.M.Hasan Fizal,
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 1st respondent to consider the petitioner's representation dated 18.04.2022 and 16.09.2022 requesting the 1st respondent to transfer the petitioner from District Jail, Attur Salem District to Central Prison, Cuddalore or Sub-Jail, Cuddalore on humanitarian consideration within a time frame to be fixed by this Court.

2. Heard the learned counsel for the petitioner and Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader, who accepts notice on behalf of the respondents. By consent of the parties, the main writ petition has been taken up for final disposal.

3. The petitioner is working as a Chief Head Warden in the Jail.



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Now, he is presently working at District Jail, Attur, Salem District. In the affidavit filed in support of the writ petition, he has stated that due to his family circumstances, he has expressed difficulty in working at Attur, Salem District and therefore, he has sought for transfer to Central Prison, Cuddalore or Sub-Jail, Cuddalore, on humanitarian consideration. He has sent two representations dated 18.04.2022 and 16.09.2022 for the aforementioned purposes. Since the representation has not been considered till date, he has filed this writ petition.

4. No prejudice would be caused to the respondents if the petitioner's representation seeking for transfer is considered on merits and in accordance with law within the time frame to be fixed by this Court.

5. For the forgoing reasons, this Court directs the respondents to pass final orders on the petitioner's representations dated 18.04.2022 and 16.09.2022 seeking for transfer from District Jail, Attur, Salem District to Central Prison, Cuddalore or Sub-Jail, Cuddalore, on humanitarian consideration, within a period of eight weeks from the date of receipt of a



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copy of this order.

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6. With the aforesaid direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/ No
Speaking Order/Non-speaking Order
vsi

To

1. The Director General of Prison,
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Chennai – 600 008.
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Attur,
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ABDUL QUDDHOSE, J.

vsi

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