



W.P.(MD) No.20019 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2022

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.20019 of 2013

and

M.P.(MD) Nos.1 & 3 of 2013

A.Philomeena Antony

... Petitioner

Vs

1.The Additional Director General of Prison,
Gandhi Ervin Road,
Egmore, Chennai.

2.The District Collector,
Madurai District, Madurai.

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

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 1st to 3rd respondents to initiate legal action based on the representation of the petitioner dated 19.11.2013 and consequently provide adequate protection to the son of the petitioner from any illegal acts at the hands of the jail authorities.



W.P.(MD) No.20019 of 2013

For Petitioner : Mr.C.M.Arumugam
For Respondents : Mr.N.Muthuvijayan
Special Government Pleader

ORDER

The present writ petition has been filed seeking mandamus directing respondents 1 to 3 to initiate action based upon the representation of the petitioner dated 19.11.2013, and consequently, provide adequate protection to the petitioner's son from any illegal acts at the hands of the jail authorities.

2. According to the petitioner, a criminal case was registered as against her son, and he was remanded to judicial custody and he was lodged in the third respondent-jail as an under trial prisoner.

3. According to the petitioner, one officer in the Counselling Team of the third respondent started to tease her son and two of his son's friends, and he was harassed sexually. In view of the said tortures meted out to her



W.P.(MD) No.20019 of 2013

WEB COPY

son, the petitioner has given the representation to the respondents on 19.11.2013.

4. Per contra, the learned Special Government Pleader for the respondents contended that there was no such occurrence in the jail and this allegation is being made by the writ petitioner to get her son transferred to some jail in Kerala. The learned Special Government Pleader further contended that the writ petitioner's son has already been transferred to Viyyur Jail in Kerala on 07.01.2015. Hence, he prayed for dismissal of the writ petition.

5. The petitioner has given the representation to the respondents herein on 19.11.2013. The allegations seem to be serious in nature and relate to sexual harassment to the petitioner's son. In view of the said facts, this Court directs the first respondent herein to conduct an enquiry relating to the alleged incidents that are said to have taken place, while the petitioner's son was lodged in the third respondent-prison. The first respondent herein is further directed to conduct an enquiry and complete the



W.P.(MD) No.20019 of 2013

WEB COPY

same within a period of six months from the date of receipt of a copy of this order, after giving an opportunity to the writ petitioner and the inmate of the jail, if possible.

6. With the abovesaid observations and directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

08.08.2022

Index: Yes/No

Internet: Yes

abr



WEB COPY



W.P.(MD) No.20019 of 2013

To

- 1.The Additional Director General of Prison,
Gandhi Ervin Road,
Egmore, Chennai.
- 2.The District Collector,
Madurai District, Madurai.
- 3.The Superintendent of Prison,
Central Prison Madurai,
Madurai.



WEB COPY



W.P.(MD) No.20019 of 2013

R.VIJAYAKUMAR, J.

abr

W.P.(MD) No.20019 of 2013

08.08.2022