



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.5281 of 2022

Silmya Fathima

...Petitioner

Vs.

1.The Superintendent,
Central Prison,
Puzhal - 1,
Chennai - 600 066.

2.The Inspector of Police,
SPE/CBI/EOW,
Central Bureau Investigation,
Economic Offences Wing,
Besant Nagar,
Chennai - 600 090.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the first respondent to grant emergency leave to the petitioner's husband namely, Sulaiman Hussain @ Niyazkhan @ Mujeeb (Convicted Prisoner No.8410), for a period of one week by considering the petitioner's representation dated 20.01.2022 and more particularly, by considering the petitioner health condition.

For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor.

O R D E R

R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner seeks a writ of Mandamus directing the respondents to consider the application of her husband for emergency leave for treatment.

<https://hcservices.courts.mca.gov.in/hcservices> 2. Before the learned counsel on either side and perused the



materials available on record.

3. Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor, upon instructions, by producing the copy of Proceedings, dated 08.01.2022, would submit that the application has been rejected, since the Prisoner is involved in a Bank fraud and there are cases pending against him in other States also.

4. Leaving it open to the petitioner to challenge the rejection order, this Writ Petition is dismissed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

rm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent,
Central Prison,
Puzhal - 1,
Chennai - 600 066.

2.The Inspector of Police,
SPE/CBI/EOW,
Central Bureau Investigation,
Economic Offences Wing,
Besant Nagar,
Chennai - 600 090.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



W.P(MD)No.5281 of 2022

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-14567[F]
dated 25/03/2022)

ORDER MADE IN
W.P (MD) No. 5281 of 2022
25.03.2022

WEB COPY

KG (CO)

KP(04.04.2022) 3P 5C