



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WEB COPY

W.P(MD)NO.8646 of 2020

and

W.M.P(MD)No.7992 of 2020

Saranya Devi

... Petitioner

.vs.

- 1.The Secretary to Government,
Home(Prison)Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.
- 2.The Additional Director General of Police
(Prisons)/The Inspector General of Prisons,
CMDA Tower-II, Gandhi Irwin Road,
Egmore, Chennai.
- 3.The Superintendent of Prison,
Vellore Central Prison,
Vellore.
- 4.The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli District.
- 5.The Superintendent of Prison,
Madurai Central Prison,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to transfer the Petitioner's husband by name Ganesan @ Pillaiyar Ganesan, son of Palanichamy, aged about 29 years from Vellore Central Prison to Madurai or Palayamkottai Central Prison in accordance with law, within the time stipulated by this Court.

For Petitioner :Mr.R.Alagumani

For Respondents :Mr.M.Sakthikumar
Government Advocate



O R D E R

This Writ Petition has been filed seeking transfer of the Petitioner's husband, who is a Prisoner from Theni Prison to Madurai Prison.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The reason assigned in the Writ Petition is that as the Vellore Prison is 400 Kms away from Madurai, the Petitioner's husband should be transferred to Madurai Central Prison.

4. The learned Government Advocate appearing for the respondents would submit that the Petitioner's husband was now lodged in Theni Prison and the trial has already been commenced and there are 24 cases pending as against the Petitioner's husband and in most of the cases, the offences are grave in nature like that Section 302 of IPC. It is further submitted that due to rivalry between two groups, only to safeguard his life and to prevent any untoward incident in the same jail, he was transferred to Vellore Prison and now, he has been transferred to Theni Prison and that the trial is conducted at the Courts of Theni.

5. In such view of the matter, this Court is not inclined to order transfer of the Petitioner's husband at this stage, as sought for by the Writ Petitioner. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (A/CS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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

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ORDER MADE IN
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and
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SA (22.03.2022) 3P 6C