



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.06.2022**

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mrs. JUSTICE S.ANANTHI

W.P. (MD)No.9507 of 2022

Poomayil

: Petitioner

Vs.

1.The Deputy Inspector General of Prisons,
Central Prison
Trichy, Trichy District

2.The Superintendent of Prisons
District Jail & Borstal School
Pudukottai
Pudukottai District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the 2nd respondent's proceedings in No.31.30/Mae/2022 dated 27.04.2022 and quash the same as illegal and directing the respondents to enlarge the petitioner's son named Durai @ Mangalanadhadurai, S/o.Kaleeswaran, life convict (CP No.461) confined at 2nd respondent's prison on parole for the period of 6 days to participate in the ritual doings of petitioner demised husband.

For Petitioner

: Mr.R.Balamuruganantham

For Respondents

: Mr.S.Ravi

Additional Public Prosecutor

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

The petitioner's son Durai @ Mangalanadha Durai, S/o.Kaleeswaran is a life convict (CP No.461) and is presently lodged in District Jail, Pudukottai. Seeking ordinary leave for six days for her son Mangalanatha Durai, the petitioner gave a representation dated 12.04.2022, which has been rejected by the second respondent vide impugned order dated 27.04.2022, which is under challenge.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.



3. A reading of the impugned order dated 27.04.2022 shows that no reason has been disclosed for rejecting the leave application of the petitioner. The impugned order merely states that leave is rejected in terms of Rule 35 of the Prison Manual without anything more. Since the impugned order appears to be a non speaking order and without reasons, the same is set aside and the second respondent is directed to pass appropriate orders in terms of Tamil Nadu Suspension of Sentence Rules, 1982, within a period of two weeks from the date of receipt of a copy of this order. Accordingly, the writ petition stands disposed of.

Sd/-

Assistant Registrar (CRL SIDE)

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/ /2022

Sub Assistant Registrar(CS)

RR

To

1.The Deputy Inspector General of Prisons,
Central Prison
Trichy, Trichy District

2.The Superintendent of Prisons
District Jail & Borstal School
Pudukottai
Pudukottai District.

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

+1 CC to M/s.R.BALAMURUGANATHAM, Advocate (SR-24718[F] dated 09/06/2022)

Order made in
W.P. (MD)No.9507 of 2022
07.06.2022

SS(17/06/2022) 2P 5C