



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. (MD) No.9515 of 2022

Muthumani

... Petitioner

-vs-

1.State of Tamil Nadu,
Rep., by the Principal Secretary,
Home, Prohibition and Excise Department,
State Secretariat, Fort St. George,
Chennai-600 009.

2.The Director General of Police/
Director General of Prisons and Correctional Services,
Whannels Road, Egmore, Chennai-600 008.

3.The Superintendent of Prison,
Madurai Central Prison,
Madurai-625 016.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to release the Petitioner's Younger Brother by name Kandaiah @ Kandasamy S/o. Maruthaiah aged about 47 years now confining at Madurai Central Prison under the premature release on the basis of G.O.(MS) 64 dated 01.02.2018 or advisory board proceedings under rule 341 of the Tamil Nadu Prison Rules 1993 or any other Schemes or Government Orders in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.S.Ravi

Additional Public Prosecutor

O R D E R

[Order of the Court was made by T.RAJA, J.]

The prayer in this writ petition is to direct the the respondents to release the petitioner's younger brother by name Kandaiah @ Kandasamy, aged about 47 years confined at Madurai Central Prison under premature release on the basis of G.O.(MS)



No.64, dated 01.02.2018 or the Advisory Board's proceedings under Rule 341 of the Tamil Nadu Prison Rules, 1993.

2. Learned counsel appearing for the petitioner would submit that though a detailed representation setting out the reasons for release of the petitioner's brother has been given, no response is forthcoming.

3. Learned Additional Public Prosecutor appearing for the respondents submitted that the representation submitted by the petitioner is taken up for consideration, however, the Government has to take a final decision.

4. In view of the above submission, the respondents are directed to consider the petitioner's representation and pass orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Vacation Officer/
Assistant Registrar (Records)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

krk / abr

To:

- 1.The Principal Secretary to Government,
The State of Tamil Nadu,
Home, Prohibition and Excise Department,
State Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Director General of Police/
Director General of Prisons and Correctional Services,
Whannels Road, Egmore, Chennai-600 008.
- 3.The Superintendent of Prison,
Madurai Central Prison,
Madurai-625 016.



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

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ARK (CO)

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