



WEB COPY

W.P.(MD)No.10978 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.06.2022**

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Mrs. JUSTICE S.ANANTHI**

W.P. (MD)No.10978 of 2022

N.Velmurugan

: Petitioner

Vs.

1.The Secretary to Government of Tamil Nadu
Department of Home,
Fort St. George, Chennai.

2.The Additional Director General of Prison,
Gandhi-Irvin Road
Egmore, Chennai.

3.The Superintendent
Central Prison, Madurai.

4.The Inspector of Police,
Kenikarai Police Station,
Kenikarai, Ramanathapuram District
(Crime No.259 of 2011)

: 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 relating to the impugned order dated 01.06.2022 in No.7868/Tha.Ku.2/2022 passed by the 3rd respondent and quash the same and directing the 3rd respondent to grant emergency leave for 3 days from 08.06.2022 to 10.06.2022 to the petitioner's father namely, K.Nagarajan, (CT No.5726), S/o.Karuppiyah, who is now confined at the Central Prison, Madurai, for attending the petitioner's marriage, which is going to be held on 09.06.2022 at Sri Bhagavathi Amman Temple, Athiyuthu Village, Thiruvadanai Taluk, Ramanathapuram District and the consequential ceremonies at Chinna Pappa Mahal, Devipattinam, Ramanathapuram District.

For Petitioner

: Mr.N.Pragalathan

For Respondents

: Mr.S.Ravi

Additional Public Prosecutor



ORDER

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

Seeking emergency leave under the Tamil Nadu Suspension of Sentence Rules, 1982, for Nagarajan, S/o.Karupppiah (CT No.5726), who is presently lodged in Central Prison, Madurai, his son, who is the petitioner herein, gave an application on the ground that he is getting married on 09.06.2022 and his father's presence for the marriage is necessary. This application has been rejected by the Superintendent of Prison, Central Prison, Madurai, by the impugned order dated 01.06.2022 on the ground that there is an objection from the police for grant of leave.

2. Of course, this Court cannot go into the validity of the reasons given in the impugned order, but, however, taking into consideration the fact that the petitioner's marriage is fixed on 09.06.2022, which fact is not denied by the fourth respondent, we direct the third respondent to send the convict prisoner, viz., Nagarajan (CT No.5726) with adequate escort at the cost of the State for attending the marriage on 09.06.2022 and bring him back on the same day evening. The Muhurtham is said to be between 11.00 a.m., and 12.00 noon and therefore, the third respondent shall ensure that the convict prisoner is present for the Muhurtham.

3. The writ petition stands disposed of with the above direction.

Sd/-

Assistant Registrar (RTI)

// True Copy //

08/06/2022

Sub Assistant Registrar(CS)

RR

To

1.The Secretary to Government of Tamil Nadu
Department of Home,
Fort St. George,
Chennai.

2.The Additional Director General of Prison,
Gandhi-Irvin Road
Egmore, Chennai.



3.The Superintendent
Central Prison,
Madurai.

4.The Inspector of Police,
Kenikarai Police Station,
Kenikarai, Ramanathapuram District.

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

W.P. (MD) No.10978 of 2022
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