

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Saturday, the Twenty Seventh day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

WP(MD) No.10465 of 2019

KUMAR @ PALANIKUMAR

... PETITIONER

Vs

- 1.STATE OF TAMIL NADU,
REP. BY THE SECRETARY TO GOVERNMENT,
HOME (PRISON IV) DEPARTMENT,
SECRETARIAT, FORT ST. GEORGE,
CHENNAI 600 009.
- 2.THE ADDITIONAL DIRECTOR GENERAL OF PRISON,
EGMORE, CHENNAI 600 008.
- 3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI. ... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Mandamus direct the respondents No.1 to 3 to extend the parole from 29.04.2019 5.00 P.M. granted to the petitioner namely Kumar @ Palanikumar, S/o Samaiyamuthu, L.C.T.No.5216 for the period of 15 days.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.VENKATESAN, Advocate for the petitioner and of Mrs.S.BHARATHI, Government Advocate(criminal side) on behalf of the Respondents, the court made the following order:-

The petitioner, a life convict, had already spent 13 years in prison, on parole now, and enjoys it till 29.04.2019. He now seeks an extension of his parole for a further period of 15 days to make some arrangements for his daughter's future studies.

2. The learned Government Advocate (Crl. Side) submitted that as per Rule 34 of the Tamilnadu Suspension of Sentence Rules, 1982, Government alone has the power to extend the period of parole.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminals side) appearing for the respondents.

4. The learned counsel appearing for the petitioner submitted that he had given a representation on 25.04.2019, to both the Government as well as the Additional Director General of Prison and the same is pending.

5. The learned Government Advocate (Criminal Side) would now submit that the prison authority would process his request within a reasonable time. There are times when authority cannot sit on a request of a citizen endlessly for him to act on it at its convenience. The Government has to act within a time frame, because what is in jeopardy is a life of a young girl. The petitioner may have to support as her father. The Government is therefore, directed to take a call on the same, hopefully and favourably before 02.05.2019.

6. This Court is not passing any orders on the petitioner's request for extension, since it is a matter for which, the Government may have to claim its point.

7. Post the matter before the first vacation Court.

sd/-
27/04/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SECRETARY TO GOVERNMENT,
STATE OF TAMIL NADU,
HOME (PRISON IV) DEPARTMENT,
SECRETARIAT, FORT ST. GEORGE, CHENNAI 600 009.

2. THE ADDITIONAL DIRECTOR GENERAL OF PRISON,
EGMORE, CHENNAI 600 008.

3. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

COPY TO:

THE GOVERNMENT ADVOCATE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
WP(MD) No.10465 of 2019
Date : 27/04/2019