



W.P.(MD)No.26475 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.11.2022

CORAM

**THE HON'BLE MR JUSTICE M.S. RAMESH
AND
THE HON'BLE MR JUSTICE N. ANAND VENKATESH**

W.P.(MD)No.26475 of 2022
and
W.M.P.(MD)No.20650 of 2022

Kavitha

... Petitioner

/Vs./

State Represented by its,

1.The Secretary to Government of Tamilnadu,
Department of Home,
Fort St.Geroge,
Chennai – 600 009.

2.The Director Inspector of General of Prison,
Madurai Range,
Madurai – 625 001.

3.The Superintendent,
Palayamkottai Central Prison,
Palayamkottai – 620 020.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the representation dated 14.11.2022 and consecutively release the detainee, Chelladurai S/o. Rajendran, life Convict No. 2260 prematurely, confined at



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Central Prison, Palayamkottai, as per the G.Os in G.O.(Ms)No.64 dated 01.02.2018 and G.O(Ms)No.488 dated 15.11.2021 and Tamilnadu Prison Rules 1983, Rules Nos.632, 633 and 634.

For Petitioner : Mr.S.Manoharan

For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

ORDER

(Order of the Court was made by **N. ANAND VENKATESH, J.**)

This Writ Petition has been filed by the wife of the detenu to direct the respondents to consider the representation made on 14.11.2022, wherein the petitioner has sought for premature release of her husband, as per the Government Orders in G.O.(Ms)No.64, Home (Prison – IV) Department, dated 01.02.2018 and G.O(Ms)No.488, Home (Prison – IV) Department, dated 15.11.2021.

2. Heard Mr.S.Manoharan, learned counsel appearing for the petitioner and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor appearing for the respondents.



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3. Taking into consideration the facts and circumstances of the case and considering the limited relief sought for in this writ petition and without going into the merits of the case, there shall be a direction to the first respondent to consider the representation made by the petitioner on 14.11.2022 and deal with the same strictly in accordance with law and in line with G.O.(Ms)No.64, Home (Prison – IV) Department, dated 01.02.2018 and G.O(Ms)No.488, Home (Prison – IV) Department, dated 15.11.2021 and take a final decision, within a period of six (6) weeks from the date of receipt of a copy of this order.

4. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

(M.S.R.,J.) (N.A.V.,J.)
24.11.2022

Index : Yes/No
Internet : Yes
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M.S. RAMESH, J.

and

N. ANAND VENKATESH, J.

Sm

To:

- 1.The Secretary to Government of Tamilnadu,
Department of Home,
Fort St.Geroge,
Chennai – 600 009.
- 2.The Director Inspector of General of Prison,
Madurai Range, Madurai – 625 001.
- 3.The Superintendent,
Palayamkottai Central Prison,
Palayamkottai – 620 020.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
W.P.(MD)No.26475 of 2022

Dated
24.11.2022