



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2022

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (MD) .No.26058 of 2019

and

W.M.P. (MD) No. 22543 of 2019

Saraswathi

... Petitioner

-Vs-

1.The State of Tamil Nadu,
represented by its Principal Secretary,
Home(Prison) Department,
Secreariat, Fort St.Gorge, Chennai-09.

2.The Additional Director General of Police,
Inspector General of Prison, Chennai-8.

3.The Superintendent of Prison,
Central Prison, Madurai.

4.The Superintendent of Prison,
Central Prison, Trichy.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to allow the petitioner's husband namely Sathya @ Sathyan (CT No.5891 now temporarily confined in Central Prison, Madurai) to undergo his punishment period at Central Prison, Madurai, permanently based on the petitioner's representation dated 30.10.2019.

For Petitioner : Mr.M.Maran

For Respondents : Mr.P.Kottai chamy
Government Advocate

O R D E R

This writ petition is filed on behalf of the life Convict, seeking Mandamus to retain the life convict Sathya @ Santhyan in Madurai prison permanently, since he has undergone surgery on his right leg due to accident and the petitioner, being the wife of the life convict, to frequently visit him in the prison for necessary care. This writ petition was filed soon after the petitioner's husband was transferred from Central Prison, Trichy to Central Prison, Madurai, for a period of three months to take his treatment.



2. At the time of admission, the Court granted an interim order, not to transfer him back to the Central Prison, Trichy. By virtue of the interim order till date, the husband of the petitioner is confined in the Central Prison, Madurai.

3. The learned Government Advocate submitted that taking note of the health condition of the convict, the Superintendent of Prison, Madurai, had passed an order on 02.03.2020 to retain the convict for a period of one year and thereafter, though no extension order is passed, the convict is still in Madurai prison.

4. Hence, recording the same, this writ petition is disposed of with a direction to the third respondent, the Superintendent of Prison, Madurai to retain the life convict Sathya @ Sathyan CTNo.5891 at Madurai Central Prison, unless and until his transfer is required for any other specific reason. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Principal Secretary, Home(Prison) Department, Secreariat, Fort St.Gorge, Chennai-09.

2.The Additional Director General of Police, Inspector General of Prison, Chennai-8.

3.The Superintendent of Prison, Central Prison, Madurai.

4.The Superintendent of Prison, Central Prison, Trichy.

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