



WP(MD)No.27181 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.12.2022**

CORAM

THE HON'BLE MR JUSTICE M.S.RAMESH

AND

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

W.P.(MD)No.27181 of 2022

and

W.M.P.(MD) No.21327 of 2022

Indhra

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Home (Prison) Department,
Secretariat, Fort St. George,
Chennai - 9.
- 2.The Additional Director General of Police /
Inspector General of Prison,
Chennai.



WP(MD)No.27181 of 2022

WEB COPY

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

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

...Respondents

PRAYER: Petition - 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, Iruladi, aged about 45 years, (CT No.1037 now temporarily confined in Central Prison, Madurai) to undergo his punishment period at Central Prison, Madurai, permanently based on the petitioner's representation dated 14.10.2022.

For Petitioner : Mr.M.Maran

For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor



WEB COPY



WP(MD)No.27181 of 2022

ORDER

[Order of the Court was made by **N. ANAND VENKATESH, J.**]

This Writ Petition has been filed for the issuance of Writ of Mandamus, forbearing the respondents from shifting the husband of the petitioner from Central Prison, Madurai, based on the representation made by the petitioner on 14.10.2022.

2. Heard Mr.M.Maran, learned counsel appearing for the petitioner and Mr.A.Thiruvadikumar, learned Additional Public Prosecutor appearing for the respondents.

3. It is brought to our notice that the detenu was originally detained at Central Prison, Coimbatore and based on the request made by the petitioner, he was shifted to Madurai. The detenu was shifted to Central Prison, Madurai for a particular period and on expiry of the said period, the detenu will again be send back to the parent jail, Central Prison, Coimbatore. The petitioner, who is the wife of the detenu is a resident of



WP(MD)No.27181 of 2022

WEB COPY

Theni and hence, has made a representation on 14.10.2022 requesting the respondents to continue to detain the detenu at Central Prison, Madurai. Since her representation was not considered, the petitioner has filed the present writ petition before this Court.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in the writ petition and without going into the merits of the case, there shall be a direction to the second respondent to consider the representation made by the petitioner, dated 14.10.2022, and take a decision in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5. 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.)
01.12.2022

Index : Yes/No
Internet : Yes
rm



WP(MD)No.27181 of 2022

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- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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WP(MD)No.27181 of 2022

M.S.RAMESH, J.

and

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rm

W.P.(MD)No.27181 of 2022

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