



WEB COPY



W.P.No.1472 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **19.01.2023**

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR
and
THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

W.P.No.1472 of 2023

Sivagami

.. Petitioner

Vs

1.The State of Tamil Nadu
rep. By its Additional Chief Secretary to
Government,
Home (Prison IV) Department,
Secretariat, Fort St. George, Chennai.

2.The Inspector General of Prison,
No.1, Gandhi Irwin Salai,
Egmore, Chennai – 8.

3.The Superintendent of Police,
Central Prison, Cuddalore.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to grant 2 days i.e., 23.01.2023 and 24.01.2023 emergency leave to the petitioner's brother Arunkumar, S/o.Natarajan, a life convict bearing Prisoner No.16833 who is confined at Central Prison, Cuddalore for performing final obsequies of his mother.

For Petitioner : Mr.S.Saravana Kumar

For Respondents : Mr.R.Muniyapparaj,
Addl. Public Prosecutor



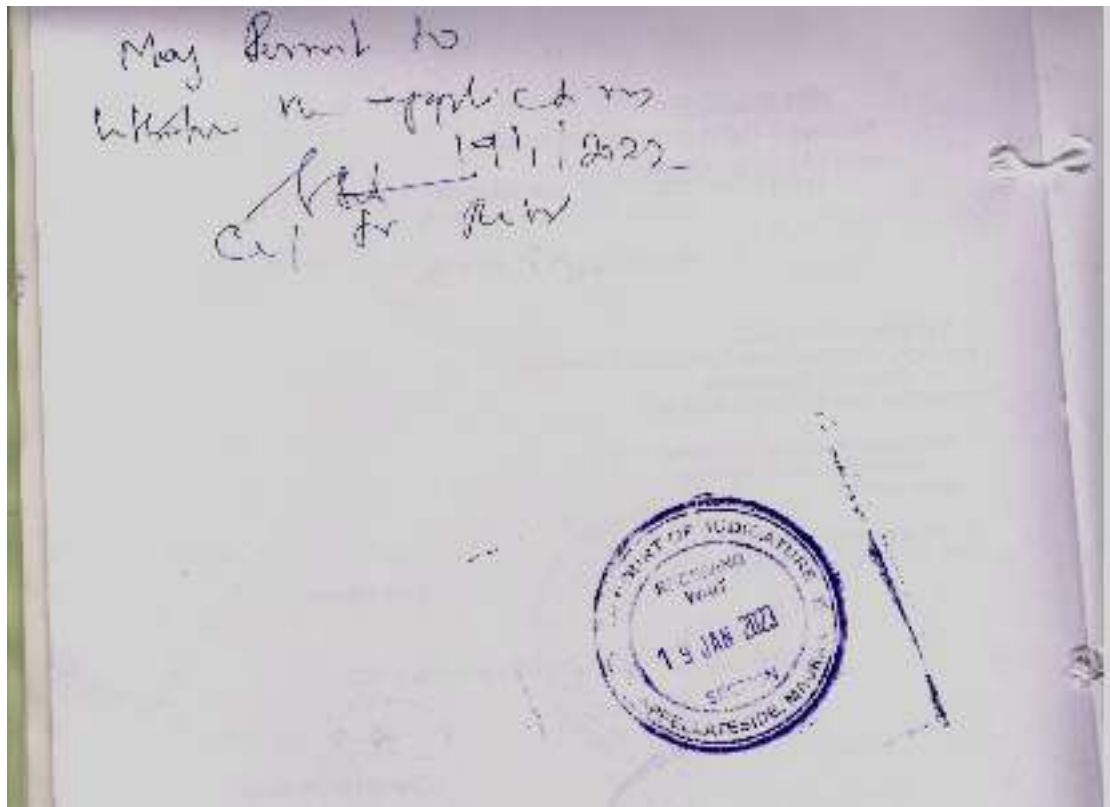
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ORDER

(Order of the Court was made by **M.SUNDAR, J.**)

After some arguments, Mr.S.Saravana Kumar, learned counsel for the writ petitioner sought leave of this Court to withdraw the captioned writ petition but made a plea that the rights of the detenu may please be preserved to move for suspension of sentence in the pending criminal appeal i.e., CrI.A. No.350 of 2020 on the file of this Court. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:





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2. The aforementioned endorsement is reiterated in the hearing.

3. In the light of the narrative thus far, captioned writ petition is disposed of as closed/withdrawn *albeit* preserving the rights of the detenu in the aforesaid manner. There shall be no order as to costs.

(M.S.J.) (M.N.K.J.)
19.01.2023

Index : Yes/No
Neutral Citation : Yes/No
mmi

To

- 1.The Additional Chief Secretary to
Government,
Home (Prison IV) Department,
Secretariat, Fort St. George, Chennai.
- 2.The Inspector General of Prison,
No.1, Gandhi Irwin Salai,
Egmore, Chennai – 8.
- 3.The Superintendent of Police,
Central Prison, Cuddalore.



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**M.SUNDAR,J.,
AND
M.NIRMAL KUMAR, J.,**

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