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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.4664 of 2023

Shankar @ Savukku Shankar

.. Petitioner

Vs.

1.The State Rep. by its
The Director General of Prisons & Correctional Services,
Egmore,
Chennai – 600 008,
Tamil Nadu.

2.The Superintendent of Prison,
Cuddalore Prison,
Tamil Nadu.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the 1st respondent in Order No.50082/PW.3/2022 dated 09.01.2023 and to quash the same.



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For Petitioner

.. Mr.P.Saranath

For Respondents

.. Mr.R.Shanmugasundaram,
Advocate General,
Assisted by Mr.T.Seenivasan,
Special Government Pleader.

ORDER

This writ petition has been filed in the nature of Certiorari, seeking to call for the records of the 1st respondent in Order No.50082/PW.3/2022 dated 09.01.2023 and to quash the same.

2.The petitioner appears to have given a letter to the 1st respondent / the Director General of Prisons & Correctional Services, Egmore, Chennai. The letter is extracted in entirety:

“I was an inmate of Cuddalore Central Prison from 16 September 2022 to 19 November 2022. During my stint in Cuddalore Prison, I found that the prison library lacks proper books for the consumption of inmates.



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2).I am donating 76 books to the Cuddalore Central Prison, the list of which is attached herewith. I request that, the book enclosed along with the list may kindly be approved. I also request that I may kindly be permitted to donate the books to the Jailor of Cuddalore Central Prison.”

3.Naturally, the respondents did not know what these books are. I do not know, whether the petitioner is also aware of the contents of the books and as to whether the books will be useful for the prisoners when they come out of their jail term or whether they will be useful for their future life or during the course of incarceration. None of these details are given. A reply had been given and the same is extracted below:

With reference to your letter cited, it is informed that your request to donate books to library at Central Prison Cuddalore for the use of inmates was examined and rejected due to administrative reasons.



4. Even the learned counsel for the petitioner has fairly admitted that he has also not read the books. The learned counsel is lettered in law and is trained to scrutinize documents before presenting them in Court. At least a summary of these books should have been given in the affidavit. The manner in which the books would benefit the inmates of the prison has not been given. The petitioner seems to focus attention on himself rather than on the inmates and explain how they would benefit from reading the books. The learned counsel for the petitioner is not prepared to elucidate these details.

5. This writ petition is dismissed. No costs.

20.02.2023

Index: Yes/No
Internet: Yes/No
smv

To



1. The Director General of Prisons & Correctional Services,
Egmore,
Chennai – 600 008,
Tamil Nadu.
2. The Superintendent of Prison,
Cuddalore Prison,
Tamil Nadu.



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C.V.KARTHIKEYAN,J.

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