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W.P.No.5475 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.5475 of 2023

Mohideen Fathima

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary,
Home Department, Fort St. George,
Chennai – 600 009.

2. The Superintendent of Central Prison,
Palayamkottai Central Prison,
Tirunelveli District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 02.02.2023 in accordance with law, by releasing the detenu Siddique Ali @ Sultan, son of Deen, aged 48 years, CT.No.7368, now confined in Central Prison, Palayamkottai to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John, Advocate



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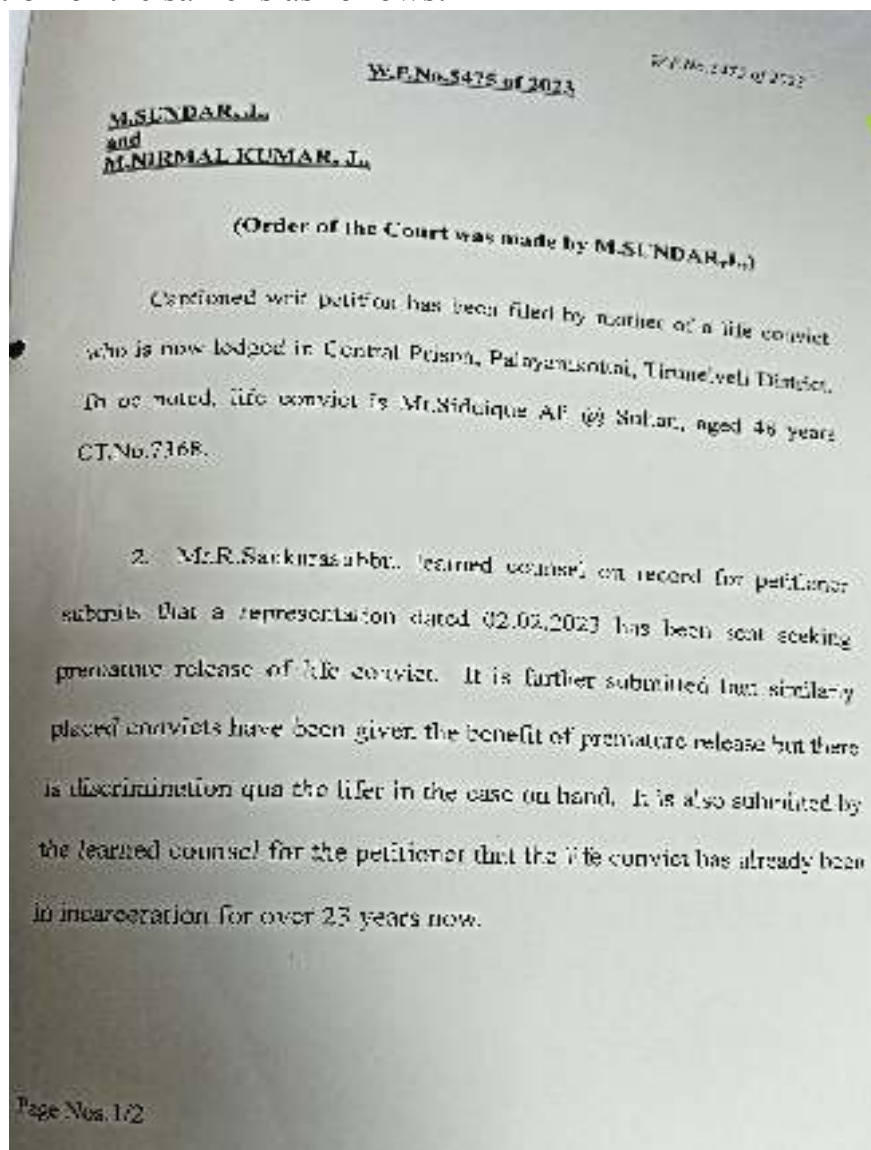
ORDER

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[Order of the Court was made by M.SUNDAR, J.]

This order will now dispose of the captioned Writ Petition.

2. This order has to be read in conjunction with and in continuation of earlier proceedings made by this Bench on 24.02.2023 and a scanned reproduction of the same is as follows:

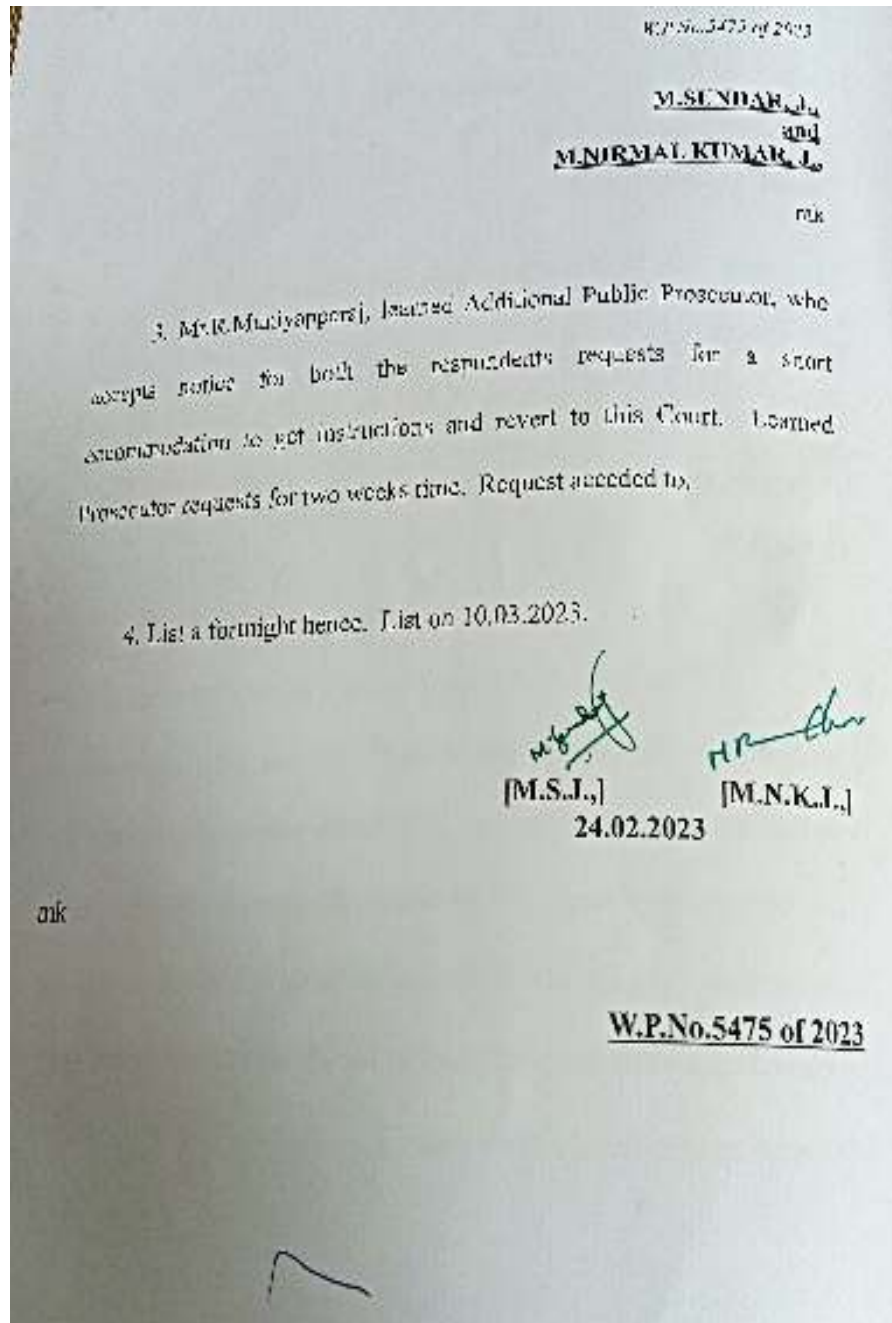




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3. Adverting to the aforementioned earlier proceedings, learned Additional Public Prosecutor submits on instructions that the representation



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dated 02.02.2023 (captured in paragraph 2 of the earlier proceedings) is under active consideration of the State and the State would take a call, i.e., take a decision within a fortnight from today, i.e., by 27.04.2023.

4. To be noted, as already alluded to in the earlier proceedings, aforementioned representation dated 02.02.2023 is one seeking premature release of a life convict. If the decision taken by the State is one which does not accede to the plea or if the petitioner or anyone concerned for the convict prisoner is not satisfied with the same, we make it clear that all the rights and contentions are preserved for assailing such a decision. We also make it clear that all the rights and contentions will include rights and contentions raised in the captioned writ petition.

5. Let the respondents do the needful as expeditiously as the business of the respondents would permit but in any event by a fortnight, i.e., by 27.04.2023.

6. In the light of aforementioned narrative we are disposing of the captioned Writ Petition as closed albeit preserving the rights in the aforesaid manner and with the aforementioned directive.



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7. Though the captioned Writ Petition stands disposed of by this order, Registry to list captioned Writ Petition under the cause-list caption 'For Reporting Compliance' on 28.04.2023.

(M.S., J.) (M.N.K., J.)
13.04.2023

Index : Yes / No
Internet : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
rsi

To

1. The Secretary,
Home Department,
Fort St. George,
Chennai – 600 009.
2. The Superintendent of Central Prison,
Palayamkottai Central Prison,
Tirunelveli District.
3. The Public Prosecutor
High Court, Madras.



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M.SUNDAR, J.
and
M.NIRMAL KUMAR, J.

rsi

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