



WP.No.10289 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.04.2023

CORAM
THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.10289 of 2023

Sarojini

W/o.Natarajan

..

Petitioner

Mother of the detenu

Vs.

The State represented by its

1. The Secretary to Government of Tamilnadu
Home Department
Fort St.George
Chennai – 600 009

2. The Deputy Inspector of General of Prison
Vellore Zone, Thorappadi
Vellore

3. The Superintendent
Cuddalore Central Prison
Cuddalore

.. Respondents

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Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to grant original leave for 40 days without escort to the detenu, Hariharan, son of Natarajan, aged about 42 years bearing Convict No.14895 at Central Prison, Cuddalore.

For Petitioner : Ms.K.Akshaya

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The central theme of the captioned writ petition is a representation dated 10.03.2023 seeking 40 days ordinary leave without escort for a convict prisoner Harikaran, Convict No.14895, now lodged in Central Prison, Cuddalore.

2. Ms.K.Akshaya, learned counsel for petitioner who is before us submits that 83 years old mother of the convict prisoner is the petitioner before us.

3. Issue notice. Mr.R.Muniyapparaj, learned State Additional Public Prosecutor who accepts notice for the respondents, submits that petitioner has recently availed leave and in the light of the operating Rules, he will be



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entitled to leave (if at all and if that be so) only after one year from the last leave.

4. Be that as it may, learned Prosecutor submits on instructions that 10.03.2023 representation received by the second and third respondents on 13.03.2023 will be disposed of as expeditiously as possible and in any event within one week from today i.e., on or before 10.04.2023.

5. Let a copy of the order disposing of the representation be duly served on the convict prisoner besides intimating the writ petitioner and favouring the writ petitioner with a copy of the same. All the rights and contentions of the writ petitioner or any one who is concerned for the convict prisoner are preserved for assailing the order of the respondents if the order is not to the satisfaction or not in favour of the convict prisoner's plea.

Captioned writ petition disposed of as closed with the above directives and above observations.

(M.S.,J.) (M.N.K.,J.)
03.04.2023

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Speaking
gpa

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Fort St.George
Chennai – 600 009
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Vellore
3. The Superintendent
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Cuddalore
4. The Public Prosecutor
High Court, Madras.



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

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