



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.11236 of 2023

Mr.B.V.Jeevan Kumar
S/o.Late B.Venkateswarlu

... Petitioner

Vs.

1. The Secretary to Government
Home Department (Prison), Secretariat
St. George Fort, Chennai – 600 009
2. The Director General of Prison
No.2, Whannels Road
Egmore, Chennai – 600 008
3. The Deputy Inspector General of Prison (Chennai Range)
Camp Office, Central Prison Campus,
Puzhal, Chennai – 600 066
4. The Superintendent of Prison
Puzhal-1, Central Prison, Chennai – 600 066
5. The State rep. By its
The Director General of Prison



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Vijayawada, Andhra Pradesh – 520 011

6. The Superintendent of Prison
Central Prison at Nellore
Andhra Pradesh – 524 004 ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to transfer the petitioner/convict from 4th respondent Central Prison to 6th respondent Central Prison in pursuant of the petitioner's mother representation dated 04.07.2022.

For Petitioner : Mr.M.Mohamed Saifulla
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[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 in the previous listing on 12.04.2023, which reads as follows:

'Captioned writ petition has been filed with a mandamus prayer qua representation dated 04.07.2022 seeking transfer of petitioner from Central Prison, Puzhal, Chennai - 66 to Vijayawada Prison in Andhra Pradesh. To be noted, aforementioned



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representation has been given by the petitioner's mother. It is also to be noted that the writ petitioner is a convict prisoner i.e., CT No.7387, now lodged in Central Prison, Puzhal, Chennai - 66.

2. Mr.M.Mohamed Saifulla, learned counsel for petitioner submits that aforementioned representation has not evoked response/reply.

3. Issue notice to respondents 1 to 4.

4. Mr.R.Muniyapparaj, learned State Additional Public Prosecutor accepts notice on behalf of respondents 1 to 4 and requests for two weeks to get instructions and revert to this Court. Request acceded to.

5. List after a fortnight. List on 27.04.2023.

6. Issue notice to respondents 5 and 6 returnable by 27.04.2023. Petitioner's counsel is permitted to take out private notice.'

3. Pursuant to aforementioned earlier proceedings, Mr.A.B.Kantha Raj, Deputy Superintendent of Prison, Central Prison, Nellore, Andhra Pradesh is present in Court on behalf of the sixth respondent.

4. We are informed that the communication was received in Andhra Pradesh only yesterday, more importantly we are informed that there will be no difficulty in taking as an inmate the petitioner's son Jeevan Kumar (Convict No.7387, now lodged in Central Prison, Puzhal) in Nellore Prison. However we are informed that certain formalities have



to be completed and therefore, four weeks time is required to complete the exercise.

5. The above drops the curtains on the captioned writ petition.

6. We dispose of the captioned writ petition recording the stated position which has been captured supra. However, we direct the Registry to list this mater under the cause list caption 'FOR REPORTING COMPLIANCE' on 20.06.2023.

(M.S.,J.) (M.N.K.,J.)
27.04.2023

Index : Yes
Speaking order
Neutral Citation : Yes
gpa



To
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7. The Public Prosecutor
Madras High Court, Chennai



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and
M.NIRMAL KUMAR, J.,

gpa

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