



WEB COPY

W.P.No.14634 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.05.2023

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**
and
THE HONOURABLE **MR. JUSTICE M.NIRMAL KUMAR**

W.P.No.14634 of 2023

A.Asina Banu

... Petitioner

Vs

1. State by
The Director General of Police and
I.G. of Prisons,
Gandhi Irwin Road, Egmore,
Chennai – 600 008.

2. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai – 600 066.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation dated 27.04.2023 made by the petitioner and not to transfer the petitioner's husband namely Javeed Basha, S/o Saleem Basha, aged about 32 years, convict prisoner, from Central Prison – 1, Puzhal, Chennai to Central Prison, Cuddalore.

For Petitioner : Ms.S.Nadhiya

For Respondents : Mr.S.Rajakumar
Additional Public Prosecutor



ORDER

WEB COPY (Order of the Court was made by Dr.ANITA SUMANTH,J.)

Mr.S.Rajakumar, learned Additional Public Prosecutor accepts notice for the respondents and is armed with necessary instructions to enable final disposal of this matter.

2. The petitioner seeks a mandamus directing the respondents to consider the representation dated 27.04.2023 made by the petitioner to the effect that the petitioner's husband namely Javeed Basha, S/o Saleem Basha, aged about 32 years, convict prisoner, not be transferred from Central Prison – 1, Puzhal, Chennai to Central Prison, Cuddalore.

3. Learned Additional Public Prosecutor admits that the aforesaid representation has been received by the respondents and would assure the Court that the same will be disposed by R1 as expeditiously as possible.

4. Normally, mandamus as sought for is not liable to be granted, seeing as the representation dated 27.04.2023 has been sent only on 02.05.2023, too proximate to the filing of the Writ Petition, which is on 03.05.2023. However, in light of the admitted position that the representation has, indeed, been received by the respondents, R1, the Director General of Police and IG of Prisons is directed to consider the representation of the petitioner dated 27.04.2023 and pass orders on merits and in accordance with



law as expeditiously as possible.

5. This Writ Petition stands disposed as above. No costs.

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(A.S.M.,J) (M.N.K.,J)
10.05.2023

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To

1. The Director General of Police and
I.G. of Prisons,
Gandhi Irwin Road, Egmore,
Chennai – 600 008.
2. The Superintendent of Prison,
Central Prison, Puzhal,
Chennai – 600 066.

Dr.ANITA SUMANTH,J



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AND
M.NIRMAL KUMAR,J.

SI

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