



WEB COPY



WP NO.17491 OF 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2023

CORAM:

**THE HON'BLE MR.JUSTICE M.SUNDAR
AND
THE HON'BLE MR.JUSTICE R.SAKTHIVEL**

W.P.NO.17491 OF 2023

A.Pappathi

... Petitioner

Versus

1.The Secretary to Government of Tamil Nadu
Department of Home
Chennai – 600 009.

2.The Director General of Police
Director General of Prison
Whannels Road, Ansari Estate,
Egmore, Chennai.

3.The Superintendent
Women Sub Jail
Cuddalore, Cuddalore District.

4.The Superintendent
Central Prison for Women
Puzhal,
Chennai.

... Respondents



WP NO.17491 OF 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the petitioner representation dated 17.04.2023.

For Petitioner : Mr.A.Saranraj
For Respondents : Mr.E.Raj Thilak
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.The fulcrum or in other words nucleus of the captioned Writ Petition is a representation dated 17.04.2023 made by the petitioner seeking transfer of her daughter who is a under trial prisoner from Women Sub Jail, Cuddalore to Central Prison, Puzhal, Chennai.

3.To be noted, the petitioner's daughter, is a under trial prisoner vide Crime No.647/2016 dated 21.04.2016 on the file of Kundrathur Police Station, for alleged offences punishable under Sections 449, 302, 307, 404,



WP NO.17491 OF 2023

380, 414 and 109 read with Section 120B of 'Indian Penal Code, 1860 (Act 45 of 1860)' ['IPC' for brevity].

4.Mr.A.Saranraj, learned counsel for the petitioner submits that the petitioner's daughter was originally lodged in Central Prison, Puzhal for nearly seven years but she was suddenly transferred to the Women Sub Jail in Cuddalore and the interview rights of the petitioner are severely affected. To be noted, re-transfer is sought on medical grounds also.

5.Issue notice. Mr.E.Raj Thilak, learned State Additional Public Prosecutor accepts notice for all the respondents and submits on instructions that the aforementioned representation dated 17.04.2023 is under consideration and that a decision will be taken on the same as expeditiously as the business of the respondents would permit but in any event within two weeks from today i.e., within a fortnight or in other words on or before 27.06.2023.



WP NO.17491 OF 2023

6.We record the aforementioned submissions of the learned Additional Public Prosecutor and direct the respondents to take a call i.e., take a decision on merits as expeditiously as the business of the respondents would permit and in any event within a fortnight from today i.e., on or before 27.06.2023.

7.Captioned writ petition disposed of with the aforementioned direction.

8.Though the writ petition is disposed of, Registry to list the above writ petition under the cause list caption 'FOR REPORTING COMPLIANCE' on 30.06.2023.

(M.S., J.) (R.S.V., J.)

13.06.2023

Index : Yes/No
Speaking / Non-speaking order
TK



WP NO.17491 OF 2023

WEB COPY

- To
- 1.The Secretary to Government of Tamil Nadu
Department of Home
Chennai – 600 009.
 - 2.The Director General of Police
Director General of Prison
Whannels Road, Ansari Estate,
Egmore, Chennai.
 - 3.The Superintendent
Women Sub Jail
Cuddalore, Cuddalore District.
 - 4.The Superintendent
Central Prison for Women
Puzhal, Chennai.



WEB COPY



WP NO.17491 OF 2023

M.SUNDAR, J.
AND
R.SAKTHIVEL, J.

TK

W.P.NO.17491 OF 2023

13.06.2023