



WEB COPY



W.P.No.22209 of 2023

IN THE HIGH COURT OF JUDICATURE A MADRAS

DATED : 27.07.2023

CORAM

**THE HONOURABLE MR.JUSTICE M.SUNDAR**

and

**THE HONOURABLE Mr.JUSTICE R.SAKTHIVEL**

W.P.No.22209 of 2023

S.Mani

.. Petitioner

Vs.

1. The Director General of Prison  
O/o.of Director General of Prison  
Whanells Road, Egmore  
Chennai District - 600 008

2. The Superintendent of Prison  
Coimbatore Central Prison  
Coimbatore District

3. The Superintendent of Prison  
Salem Central Prison  
Salem District

4. The Inspector of Police  
Soorangalam Police Station  
Salem City, Salem District

.. Respondents

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W.P.No.22209 of 2023

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the respondents to transfer the petitioner brother life convict prisoner Mr.Saravanan CT 22939 from 2nd respondent prison to 3rd respondent prison in pursuant to the petitioner's representation dated 20.06.2023.

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondents : Mr.A.Gokulakrishnan  
Additional Public Prosecutor

### **ORDER**

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

This order will now dispose of the captioned 'Writ Petition' ['WP' for the sake of brevity].

2. Captioned WP has been filed with a mandamus prayer qua a 'representation dated 20.06.2023 made by the writ petitioner' [hereinafter 'said representation' for the sake of brevity, convenience and clarity] seeking transfer of writ petitioner's brother Thiru.Saravanan, who is a Convict Prisoner [Convict No.22939] from Coimbatore Central Prison to Salem Central Prison on the ground that Convict Prisoner intends to prefer an appeal against his conviction and the convict prisoner's relatives who would be helping him in this endeavour are in Salem District.

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3. Issue notice.

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4. Mr. A. Gokulakrishnan, learned State Additional Public Prosecutor accepted notice for all four respondents.

5. Learned Prosecutor draws our attention to proceedings of second respondent (signed on 11.07.2023) bearing reference No.12987/த.கு2/2023 wherein said representation has been forwarded by the second respondent to third respondent. Learned Prosecutor submits that said representation is being considered, Police/Probation Officer reports have been sought and that said representation can be disposed of by first respondent within a fortnight from today i.e., by 10.08.2023.

6. The narrative thus far drops the curtains on the captioned WP. Let the said representation be disposed of on its own merits and in accordance with law by the first respondent within a fortnight from today i.e., by 10.08.2023. The proceedings of first respondent disposing of the said representation shall be communicated to the writ petitioner under due acknowledgment within 7 working days from the date of disposal. Though obvious we make it clear that all the rights and contentions of the petitioner or any one concerned for the convict prisoner are preserved for assailing the



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disposal of said representation if it is not in favour of the petitioner/ convict prisoner and / or if convict prisoner is not satisfied with the same.

Captioned WP disposed of with the aforesaid manner with aforementioned directives/observations and preservation of rights.

(M.S.,J.)

(R.S.V.,J.)

27.07.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

gpa



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5. The Public Prosecutor  
High Court, Madras.



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**M.SUNDAR, J.,**  
**and**  
**R.SAKTHIVEL, J.,**

gpa

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