



W.P.No.25233 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU**

Writ Petition No.25233 of 2023

Neelavathi

.... Petitioner

-Vs-

1.The State represented by its
Deputy Inspector General of Prisons
Coimbatore Zone, Coimbatore Central Prison
Coimbatore.

2.The Superintendent of Prisons,
Coimbatore Central Prison
Coimbatore.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus, directing the respondents to grant ordinary leave for 21 days without escort to the detenu Babu @ Chalukkiya Raj S/o Gunasekaran, aged about 35 years bearing Convict No.22493 detained at Central Prison, Coimbatore.

For Petitioner : Mr.S.Pandiyan

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor



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ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

The brother of the petitioner one Babu @ Chalukkiya Raj S/o Gunasekaran, aged about 35 years bearing Convict No.22493 is undergoing imprisonment for more than three years and six months at Central Prison, Coimbatore. According to the petitioner, the convict is entitled for 21 days ordinary leave, for which an application has been made on behalf of the detenu by the petitioner on 08.08.2023. In order to consider the same and to pass orders, the petitioner has moved the present writ petition.

2. Reiterating the same, Mr.S.Pandiyar learned counsel for the petitioner seeks disposal of this writ petition by giving such a direction to consider the representation on merits and that would suffice, he contended.

3. Heard Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for the respondents, who would submit that based on the said representation, already a report from the Probation Officer as well as the Police has been sought for. The authorities ie., the respondents are awaiting such report and on receipt of the



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same, the request of the petitioner would be considered and a decision would be made within a time frame that may be stipulated by this Court.

4. Having considered the said submissions made by both sides and taking into account the innocuous nature of the prayer, this Court is inclined to pass the following order.

That there shall be a direction to the respondents to consider the representation of the petitioner dated 08.08.2023 and pass orders thereon, of course after receipt of the Probation Officer as well as the Police report and pass orders thereon on merits and in accordance with law within a period of two weeks thereafter.

5. With the above directions, this writ petition is disposed of. No costs.

(R.S.K.,J.) (K.B.,J.)
25.08.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non-speaking order
KST



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R.SURESH KUMAR, J.
AND
K.KUMARESH BABU, J.
KST

To

- 1.The Deputy Inspector General of Prisons
Coimbatore Zone, Coimbatore Central Prison
Coimbatore.
- 2.The Superintendent of Prisons,
Coimbatore Central Prison
Coimbatore.

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