



WEB COPY



W.P.No.28458 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

W.P.No.28458 of 2023

Mohamed Asan

.. Petitioner

Vs

1.The State Rep. By its
Director General of Prison,
No.2, Gandhi Irwin Road,
CMDA Building, Egmore, Chennai – 08.

2.The Superintendent of Prison,
Central Prison at Salem.

3.The Superintendent of Prison,
Central Prison at Coimbatore.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to transfer the petitioner / convict prisoner namely Mohamed Asan S/o.Sheikh Madhar from 2nd respondent to 3rd respondent in pursuance of the petitioner's representation dated 16.05.2023.

For Petitioner : Mr.M.Mohamed Saifulla

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Mr.C.Aravind
for R1 and R2

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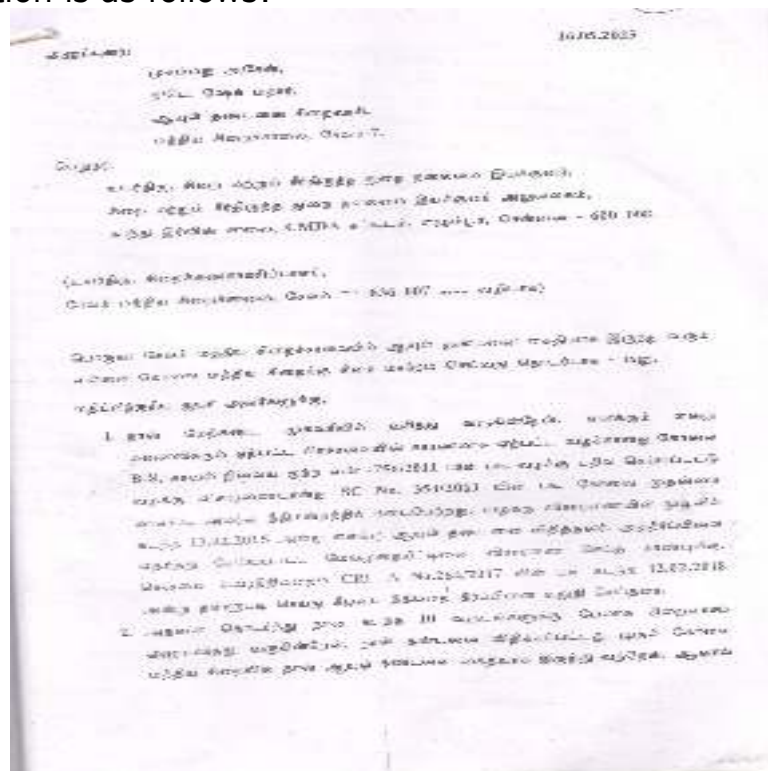
ORDER

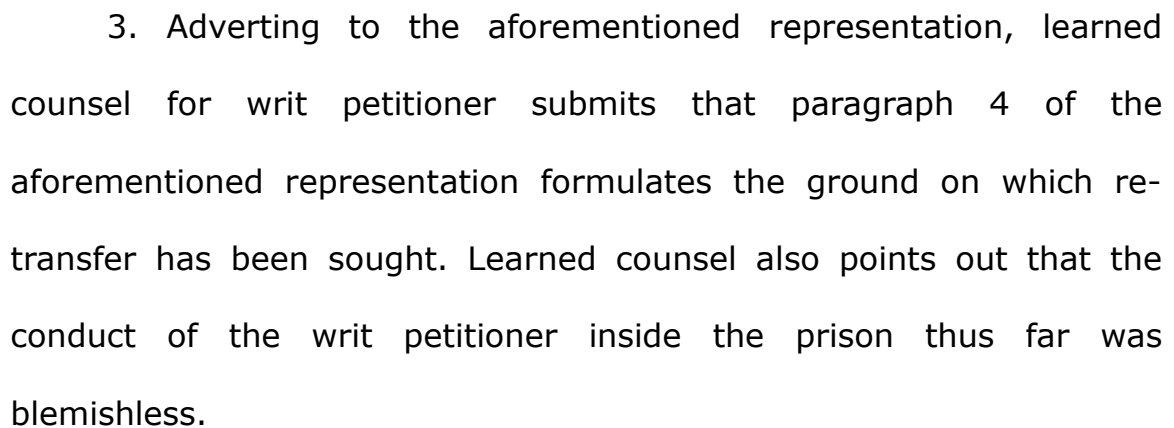
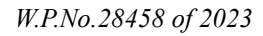
[Order of the Court was made by **M.SUNDAR, J.,**]

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Captioned 'Writ Petition' (hereinafter 'WP' for the sake of brevity, convenience and clarity) is anchored on a representation dated 16.05.2023 from the writ petitioner, who is a prison inmate (life convict) now lodged in Central Prison, Salem.

2. A scanned reproduction of the aforementioned 16.05.2023 representation is as follows:





4. Issue notice.



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5. Mr.E.Raj Thilak, learned State Additional Public Prosecutor assisted by Mr.C.Aravind, learned counsel, accepts notice for all three respondents.

6. Learned Prosecutor submits that the aforementioned 16.05.2023 representation is under consideration, a decision has to be taken by the first respondent and that the same will be done in due course after following the requisite official procedure.

7. Considering the narrow scope of the captioned WP, main WP was taken up with the consent of both sides.

8. Without expressing any opinion on the merits of the plea for re-transfer, captioned WP is disposed of with a simple mandamus to first respondent i.e., directive to first respondent to consider the aforementioned 16.05.2023 representation on its own merits and in accordance with law and dispose of the same as expeditiously as the business of the first respondent would permit but in any event within a time frame of three weeks from today i.e., on or before 20.10.2023.



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9. The decision taken by the first respondent i.e., disposal of aforementioned 16.05.2023 representation shall be communicated to the writ petitioner under due acknowledgment within three working days from the date of disposal.

10. Captioned WP is disposed of in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.) (R.S.V.,J.)
29.09.2023

Index : Yes/No
Neutral Citation : Yes/No
mmi

P.S.: Though the captioned WP has been disposed of, Registry is directed to list the matter under the cause list caption 'FOR REPORTING COMPLIANCE' on 31.10.2023.

To

- 1.The Director General of Prison,
No.2, Gandhi Irwin Road,
CMDA Building, Egmore, Chennai – 08.
- 2.The Superintendent of Prison,
Central Prison at Salem.
- 3.The Superintendent of Prison,
Central Prison at Coimbatore.
- 4.The Public Prosecutor,
High Court, Madras.

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

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