



Writ Petition No.31766 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2023

Coram

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH**

Writ Petition No.31766 of 2022

Veera Bharathi
S/o.Ponniah

... Petitioner

Vs.

The State of Tamil Nadu
Rep. by the Superintendent,
Central Prison – I,
Puzhal, Chennai – 600 006.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondent to provide the petitioner namely Veera Bharathi, S/o.Ponniah L.Ct.No.7209 the access to a computer and printer inside the prison campus in order to effectively prepare the Appeal Petition against the final order dated 30.11.2021 passed by the Madurai Bench of Madras High Court in W.P.(MD)No.15727 of 2021, whereby his prayer for premature release has been rejected.



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For Petitioner : Mr.D.Mario Johnson

For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Made by **P.N.PRAKASH, J.**]

Seeking access to a computer and printer inside the prison campus to effectively prepare an appeal, this writ petition has been filed by the petitioner herein, who is a convict prisoner, undergoing life sentence in the Central Prison, Puzhal.

2. The learned counsel for the petitioner submitted that the petitioner gave a representation dated 07.12.2021 to the prison authorities seeking the aforesaid facility, however, since the facility was not granted by them, he has approached this Court.

3. The learned counsel for the petitioner placed strong reliance on the order of this Court in ***Dr.L.Prakash vs. The Superintendent, Puzhal Central Prison-1, Puzhal, Chennai*** [HCP No.486 of 2008, dated



23.07.2008]. Wherein Para 24 it is stated as under:

4. Heard learned Additional Public Prosecutor appearing on behalf of



5. We perused the representation dated 07.12.2021 and we find it to be too bald for the prison authorities to act upon it. In response to this, the learned counsel for the petitioner submitted that, in the affidavit before this Court, the petitioner has disclosed all the materials and details and prayed for accepting the reasons given in the affidavit for the said facility.

6. In our considered opinion, we cannot step into the shoes of the prison authorities and decide on the merits of the petitioner's contentions. Maintenance of discipline is the exclusive prerogative of prison authorities, over which, this Court can have no say. Since we find that the representation dated 07.12.2021 is inadequate, we grant liberty to the petitioner to submit a detailed representation to the prison authorities. On such representation being given, the same shall be considered in accordance with the Extant Prison Rules.



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7. We make it clear that we are not giving any positive direction to the prison authorities to grant the facility sought by the petitioner, since granting of such a facility may lead to other prisoners demanding similar facilities and thereby impairing the day-to-day administration of the prison.

Accordingly, this writ petition stands disposed of. No costs.

[PNP, J.] [NAV, J.]
04.01.2023

Index: Yes/No
gm/ssr

To

- 1.The Superintendent,
Central Prison – I, Puzhal, Chennai – 600 006
- 2.The Public Prosecutor,
High Court, Madras.



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P.N.PRAKASH, J.
and
N.ANAND VENKATESH, J.

SSR

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