



W.P.No.30307/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.30307/2023

S.S.Megala

... Petitioner

Vs.

1.The Director General of Police/
Director General of Prisons and
Correctional Service, Whannels Road
Egmore, Chennai 600 008.

2.The Superintendent of Prison
Central Prison, Salem.

3.The Superintendent of Prison
Central Prison, Puzhal,
Chennai 600 066.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus, directing the respondents to consider the representation dated 15.06.2023 made by the petitioner to transfer the



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petitioner's brother namely S.Shajin S/o.Selvaraj, aged about 39 years
Convict No.8758, Convict Prisoner, from Central Prison, Salem to Central
Prison, Puzhal, Chennai.

For Petitioner : Mr.S.Nadhiya

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Mr.C.Aravind

ORDER

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

(1)The present writ petition has been filed by the petitioner, sister of the detenu, seeking a mandamus to direct the respondents to consider the representation dated 15.06.2023 made by the petitioner seeking transfer of the petitioner's brother namely S.Shajin S/o.Selvaraj, aged about 39 years Convict No.8758, Convict Prisoner, from Central Prison, Salem to Central Prison, Puzhal, Chennai.

(2)The petitioner stated in the affidavit that her brother Shajin, a convict prisoner, is physically disabled person. She further stated that her



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brother/detenu had undergone imprisonment for more than 14 years. The grievance of the petitioner is that the parents of the detenu/convict prisoner are unable to meet the detenu because of their health issues and the petitioner, a resident of Chennai, is also finding it extremely difficult to meet her brother who is confined at Central Prison, Salem. There are other circumstances stated in the affidavit filed in support of this petition. The petitioner submitted a representation on 22.08.2023 seeking prison transfer and the same is pending consideration before the 1st respondent.

(3)The learned Additional Public Prosecutor on instructions, submitted that there is no legal impediment to consider the representation of the petitioner and the respondents may be directed to consider the same by giving at least three weeks time.

(4)In the said circumstances, this Court is of the view that this writ petition can be disposed of by issuing a direction to the respondents.

(5)This Court, without expressing any opinion on the merits of the petitioner's representation for the present, directs the 1st respondent to consider the petitioner's representation/request dated 22.08.2023 in accordance with law within a period of four weeks from the date of



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receipt of a copy of this order and communicate the decision taken, to the petitioner herein.

(6)The writ petition stands **disposed of**. No costs.

[S.S.S.R., J.] [S.M, J.]
19.10.2023

AP

Internet : Yes

To

- 1.The Director General of Police/
Director General of Prisons and
Correctional Service, Whannels Road
Egmore, Chennai 600 008.
- 2.The Superintendent of Prison
Central Prison, Salem.
- 3.The Superintendent of Prison
Central Prison, Puzhal,
Chennai 600 066.
- 4.The Public Prosecutor,
High Court, Madras.



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S.S. SUNDAR, J.,
and
SUNDER MOHAN, J.,

AP

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