



W.P.No.33475/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.33475/2023

Nisha Begum

... Petitioner

Vs.

1.The State rep.by its
The Home Secretary [Prison]
Fort St George, Chennai 600 009.

2.The Deputy Inspector General of Prisons
O/o.The Deputy Inspector General of Prison
Chennai Range, Egmore 600 008.

3.The Superintendent of Prisons
Central Prison at Puzhal-I
Thiruvallur District 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 grant 28 days ordinary leave without escort to the husband of petitioner/convict prisoner namely Mr.Akram Khan son of Ayub Khan who is confining in 3rd respondent in pursuance of the petitioner's representation dated 07.11.2023.



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For Petitioner : Mr.M.Mohamed Saifulla
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

- (1)The present writ petition has been filed by the petitioner seeking a mandamus to direct the respondents to grant 28 days ordinary leave to the convict prisoner/petitioner's husband by considering the representation of the petitioner dated 07.11.2023.
- (2)Mr.E.Raj Thilak, learned Additional Public Prosecutor accepts notice on behalf of the respondents.
- (3)The learned Additional Public Prosecutor, on instructions submitted that the representation of the petitioner 07.11.2023 seeking ordinary leave of her husband, is pending consideration.
- (4)The learned counsel for the petitioner seeks indulgence of this Court to direct the respondents to pass appropriate orders on the petitioner's representation within a stipulated period.



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(5) 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.

(6) Accordingly, this Court, without expressing any opinion on the merits of the petitioner's representation dated 07.11.2023 or on the contentions raised by the petitioner in the affidavit filed in support of this petition, directs the respondents to consider the petitioner's representation/request of the petitioner dated 07.11.2023 on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner herein.

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

[S.S.S.R., J.] [S.M, J.]
30.11.2023

AP

Internet : Yes



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

AP

To

- 1.The Home Secretary [Prison]
Fort St George, Chennai 600 009.
- 2.The Deputy Inspector General of Prisons
O/o.The Deputy Inspector General of Prison
Chennai Range, Egmore 600 008.
- 3.The Superintendent of Prisons
Central Prison at Puzhal-I
Thiruvallur District 600 066.
- 4.The Public Prosecutor,
High Court, Madras.

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