



W.P.No.34078 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.34078 of 2023

Anisunisha

... Petitioner

Vs.

1.State by the Director General of Police &
Director General of Prisons
and Correctional Services,
Whannels Road,
Egmore, Chennai – 600 008.

2.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 a Writ of Mandamus to direct the respondents to provide 'A class facility' to the petitioner's husband namely Sadiq Basha, S/o.Saleem Basaha, aged about 42 years, convict prisoner, Central Prison-1, Puzhal, Chennai.



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For Petitioner : M/s.S.Nadhiya
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Mr.Aravind C.

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

The petitioner, who is the wife of the convict prisoner namely Sadiq Basha, S/o.Saleem Basaha, aged about 42 years, convict prisoner, who is now confined in Central Prison-1, Puzhal, Chennai, has come forward with this writ petition to direct the respondents to provide 'A class facility' to her husband (convict prisoner).

2.The petitioner states that her husband was convicted for the offences under Sections 8(c) r/w.29, 8(c) r/w.22(c) and 8(c) r/w.28 of NDPS Act and sentenced to undergo 10 years Rigorous Imprisonment for each offence. She further states that her husband has been suffering from liver problem, asthma, chest pain, spine and other health problems and he has been advised by the Doctor to take nutritious food. Therefore, the petitioner submitted a representation, dated 10.11.2023, to the respondents to provide 'A' Class



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facility to her husband. Since the same was not considered till date, she has come forward with this writ petition.

3.Learned counsel for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondents to consider the representation of the petitioner within a time stipulated by this Court.

4.Heard the learned Additional Public Prosecutor appearing for the respondents.

5.Having regard to the limited prayer that is now sought before this Court by the learned counsel for the petitioner, without going into the merits of the petitioner's representation or the contentions of the petitioner in the affidavit filed in support of this writ petition, this Court directs the respondents to consider the representation of the petitioner, dated 10.11.2023, in terms of Rules 225 and 226 of the Tamil Nadu Prison Rules, 1983, and pass appropriate orders on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this



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order, and communicate the same to the petitioner.

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6. With the above direction, this writ petition is disposed of. No costs.

(S.S.S.R., J.) (S.M., J.)
11.12.2023

mkn

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

1. The Director General of Police &
Director General of Prisons
and Correctional Services,
Whannels Road,
Egmore, Chennai – 600 008.

2. The Superintendent of Prison,
Central Prison,
Puzhal, Chennai – 600 066.

3. The Public Prosecutor,
High Court, Madras.

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



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