



W.P.No.34013 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.34013 of 2023

D.Rajeshwari

... Petitioner

Vs.

1. Director General of Prison,
Prison Department,
Gandhi Irwin Road,
Egmore,
Chennai – 600 008.

2. The Superintendent of Prison,
Central Prison,
Coimbatore.

3. The Superintendent of Prison,
Central Prison,
Salem.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent to transfer the petitioner's convicted husband namely Deva @ Devaraj, S/o.Raja (Ct. No.23421) from Coimbatore Central Prison to Salem Central Prison based on the representation of the petitioner dated 09.10.2023.

For Petitioner : Mr.D.Ashok Kumar

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 Deva @ Devaraj, S/o.Raja (Ct. No.23421), has come forward with this writ petition to direct the 1st respondent to transfer the detenu from Coimbatore Central Prison to Salem Central Prison based on the representation of the petitioner dated 09.10.2023.



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2.The petitioner states that her husband was convicted for an offence under POCSO Act and sentenced to life imprisonment and is now confined in Central Prison, Coimbatore. The petitioner further states that she and her in-laws are residing at Salem and therefore, she seeks transfer of the prisoner from Central Prison, Coimbatore to Central Prison, Salem, on humanitarian grounds. She further states that she has submitted a representation, dated 09.10.2023, to the respondents for transfer. Since the same has not been considered till date, she has come forward with this writ petition.

3.Heard the learned counsel for the petitioner.

4.Learned Additional Public Prosecutor, appearing for the respondents, on instructions, states that the representation of the petitioner is under consideration and the respondents are likely to pass orders within two weeks.



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5.Considering the prayer in the writ petition and the submission of the learned Additional Public Prosecutor, this Court, 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, directs the 1st respondent to consider the representation of the petitioner, dated 09.10.2023, for transfer of her husband/convict prisoner, and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

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

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- 2.The Superintendent of Prison,
Central Prison,
Coimbatore.
- 3.The Superintendent of Prison,
Central Prison,
Salem.
- 4.The Public Prosecutor,
High Court, Madras.



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and
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