



W.P.No.34648 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.34648 of 2023

M.H.Vahitha Banu

... Petitioner

Vs.

1.The Director General of Police & I.G. of Prisons,
Gandhi Irwin Road,
Egmore,
Chennai – 600 008.

2.The Superintendent of Prison,
Central Prison-1,
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 grant 28 days ordinary leave by considering the representation of the petitioner's husband dated 09.08.2023 and release her husband Hussain @ Zakir Hussain, S/o.Husul Abdul Khadhar, aged 55 years, Convict No.2436 Convict Prisoner, Central Prison, Puzhal.



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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 Hussain @ Zakir Hussain, S/o.Husul Abdul Khadhar, aged 55 years, Convict No.2436, confined in Central Prison, Puzhal, Chennai, has come forward with this petition to direct the respondents to grant 28 days Ordinary Leave to her husband, by considering the representation of her husband, dated 09.08.2023.

2.Learned Additional Public Prosecutor, appearing for the respondents, has now reported that the Probation Officer has recommended for grant of leave to the petitioner's husband and hence, they are considering the request of the petitioner's husband favourably.



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3.In view of the submission made by the learned Additional Public Prosecutor, without going into the merits of the representation of the petitioner's husband or the contentions of the petitioner in this writ petition, this writ petition is disposed of with a direction to the respondents to consider the representation of the petitioner's husband, dated 09.08.2023, 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. No costs.

(S.S.S.R., J.) (S.M., J.)
18.12.2023

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Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

S.S. SUNDAR, J.
and



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SUNDER MOHAN, J.

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To

1.The Director General of Police & I.G. of Prisons,
Gandhi Irwin Road,
Egmore,
Chennai – 600 008.

2.The Superintendent of Prison,
Central Prison-1,
Puzhal, Chennai – 600 066.

3.The Public Prosecutor,
High Court, Madras.

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