



W.P.No.35611 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.35611 of 2023

Selvi

... Petitioner

Vs.

1.The State represented by its
The Home Secretary (Prison),
St. George Fort,
Chennai – 600 009.

2.The Director General of Police,
Gandhi Irwin Road, CMDA Building,
Egmore, Chennai – 600 008.

3.The Superintendent of Prison,
Central Prison at Salem,
Salem – 636 007.

... 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 without escort to the husband of the petitioner namely



W.P.No.35611 of 2023

Udhayakumar, S/o.Munusamy Naidu, by considering the petitioner's representation dated 27.11.2023.

WEB COPY

For Petitioner : Mr.K.Sakthivel
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, Udhayakumar, S/o.Munusamy Naidu, has come forward with this writ petition to direct the respondents to grant 28 days Ordinary Leave to her husband by considering her representation dated 27.11.2023.

2.The reason stated by the petitioner in her representation for grant of leave is that the petitioner's husband is in prison from the year 2009 without any bad antecedents and that her husband is suffering from various health issues including breathing and other problems related to sinus. The petitioner also requests leave for her husband for searching a suitable bride for their son.



W.P.No.35611 of 2023

WEB COPY 3.Learned counsel for the petitioner now submits before this Court that the petitioner will be satisfied if a direction is issued to the respondents to consider the representation of the petitioner dated 27.11.2023.

4.Having regard to the limited scope of the prayer now sought before this Court by the learned counsel for the petitioner, this Court, without expressing any opinion on the merits of the petitioner's representation or the contentions raised in the affidavit filed in support of this petition, directs the respondents to consider the representation of the petitioner, dated 27.11.2023, 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 order, and communicate the same to the petitioner.

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

(S.S.S.R., J.) (S.M., J.)
22.12.2023

mkn

Page 3 of 5



W.P.No.35611 of 2023

Internet : Yes
Index : Yes / No
Neutral Citation : Yes / No

To

- 1.The Home Secretary (Prison),
St. George Fort,
Chennai – 600 009.
- 2.The Director General of Police,
Gandhi Irwin Road, CMDA Building,
Egmore, Chennai – 600 008.
- 3.The Superintendent of Prison,
Central Prison at Salem,
Salem – 636 007.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY



W.P.No.35611 of 2023

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

mkn

W.P.No.35611 of 2023

22.12.2023