



W.P(MD)No.2431 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 07.02.2023

CORAM

**THE HON'BLE DR JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE SUNDER MOHAN**

W.P.(MD)No.2431 of 2023

Velayutham

.. Petitioner/father of the
detenu

Vs.

The State represented by its:

1.The Deputy Inspector General of Prison,
Madurai Zone, (Central Prison),
Madurai-625 001.

2.The Superintendent,
Central Prison Palayamkottai,
Palayamkottai-627 002.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying this Court, to issue a writ of Mandamus, directing the respondents
to grant ordinary leave for forty days without escort to the detenu,
Sundaralingam @ Karuppusamy, S/o.Velayutham, aged about 41 years,
Convict No.3357 at Central Prison, Palayamkottai.



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For Appellant :Mr.S.Manoharan

For Respondents :Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

DR. G.JAYACHANDRAN,J.
AND
SUNDER MOHAN,J.

The Writ of Mandamus sought by the father of the detenu to consider the representation, dated 20.01.2023 for grant of 40 days ordinary leave to the convict, who is in jail undergoing life sentence.

2.The learned Additional Public Prosecutor appearing for the respondents states that similar representation was made by the mother of the convict, on 13.01.2023 and the same was considered and taking note of the fact that the convict once absconded while enjoying 3 days emergency leave, the request for ordinary leave rejected. The said rejection order was passed, on 23.01.2023.

3.In the light of the above order, nothing survives for adjudication in the writ petition seeking mandamus. It is open to the convict or his



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representative to challenge the rejection order, if the reasons found not legally sustainable.

4. With the grant of above liberty, this writ petition is dismissed. No costs.

(G.J.,J.) (S.M.,J.)
07.02.2023

NCC: Yes/No

Index: Yes/No

Internet: Yes/No

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To

1. The Deputy Inspector General of Prison,
Madurai Zone, (Central Prison),
Madurai-625 001.

2. The Superintendent,
Central Prison Palayamkottai,
Palayamkottai-627 002.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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