



W.P.(MD).No.2478 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 19.09.2023

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH
AND
THE HON'BLE MR JUSTICE M.NIRMAL KUMAR**

W.P.(MD).No.2478 of 2023

Seetharaman

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by the Additional Chief Secretary to Government,
Home (Prison-IV) Department,
Secretariat,
Fort St.George,
Chennai – 600 009.

2.The Additional Director General of Police,
Inspector General of Prison,
No.1, Gandhi Irwin Salai,
Egmore,
Chennai – 600 008.

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

.. Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to treat the petitioner's son namely Muthukrishnan, S/o.Seetharaman, C.P.No.4399, being eligible for premature release by G.O.(Ms)No. 64 Home (Prison IV) department dated 01.02.2018, on the basis of the representation of the petitioner dated 12.01.2023.

For Petitioner : M/s.S.Prabha

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents produced a copy of G.O.(D)No.1064 Home (Prison-IV) Department dated 08.09.2023 and submitted that the petitioner's request for premature release of his son, Muthukrishnan, has been rejected by the Government through G.O.(D)No. 1064, pending the present Writ Petition. While that being so, the present



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prayer seeking for issuance of a writ of Mandamus for consideration of the petitioner's representation in this regard, cannot be sustained. However, liberty is hereby granted to the convict prisoner, Muthukrishnan, to challenge G.O.(D)No.1064 Home (Prison-IV) Department dated 08.09.2023, in accordance with law.

2. With the above liberty, the Writ Petition stands closed. There shall be no order as to costs.

(M.S.R.,J.) (M.N.K.,J.)
19.09.2023

NCC : Yes / No
Index : Yes / No
Lm



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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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M.S.RAMESH,J.
and
M.NIRMAL KUMAR,J.

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