



WP(MD)No.7242 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 03.04.2023

CORAM

The Honourable Mr. Justice **R.SURESH KUMAR**
and
The Honourable Mr. Justice **K.K.RAMAKRISHNAN**

W.P.(MD)No.7242 of 2023

Nithiya

.. Petitioner

Vs.

1.The Director General of Police/Director General,
Tamil Nadu Prison and Reformatory Department
Egmore, Chennai 8

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

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

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus to direct the 1st respondent to transfer the petitioner husband namely, Arockiya Jeyaprabakaran, S/o.Anandharaj, (convicted prison No.22681) confined at the 2nd respondent prison from the 2nd respondent prison to the 3rd respondent prison by considering the representation dated 19.11.2022 within stipulated time period in accordance with law.



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For Petitioner : Mr.R.Alagumani
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by **R.SURESH KUMAR, J.**]

The petitioner's husband is a life convict and has been confined in Central Jail, Coimbatore, from where he sought for transfer to Madurai Central Prison. In this regard, an application has already been submitted by the petitioner vide representation dated 19.11.2022 and in order to consider the same, the petitioner has moved the present writ petition.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. Heard the learned Additional Public Prosecutor, who, on instructions, would submit that on 31.03.2023, the Superintendent, Madurai Central Prison, has given concurrence for transfer as requested by the Superintendent of Prison, Coimbatore Central Prison and therefore, in this regard, the first respondent has to pass orders on the representation of the



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petitioner dated 19.11.2022 in the light of the proceedings issued by the Superintendent of Central Prison, Madurai dated 31.03.2023 within a period of four weeks.

4. Having considered the said submissions made by the learned Additional Public Prosecutor appearing for the respondents and taking into account the aforesaid proceedings issued by the concerned Superintendent, this Court is inclined to pass the following direction:

“There shall be direction to the first respondent to consider the representation of the petitioner dated 19.11.2022 by considering the proceedings issued by the Superintendent of Central Prison, Madurai, who is the third respondent, dated 31.03.2023 and pass orders thereon on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of.

(R.S.K.,J.) (K.K.R.K.,J.)
03.04.2023

NCC : Yes/No
Index : Yes/No



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- 2.The Superintendent of Central Prison,
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- 3.The Superintendent of Central Prison,
Madurai
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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and
K.K.RAMAKRISHNAN,J.

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