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W.P.(MD)No.12882 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2023

CORAM

**THE HON'BLE MR.JUSTICE R.SURESH KUMAR
AND
THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN**

W.P.(MD)No.12882 of 2023

Kalaiselvi

.. Petitioner

Vs.

1.The Secretary to the Government,
Home Department,
Government of Tamilnadu,
Secretariat,
Chennai-600 009.

2.The Director General of Police/Director of Prisons
and Correctional Services,
C.M.D.A. Towers II,
No.1, Gandhi Irvin Road,
Elumbur, Chennai – 600 008.

3.The Deputy Inspector of Prison,
Madurai Central Prison Campus,
Madurai Range,
Madurai.



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4.The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 2nd respondent to grant 21 days ordinary leave to the petitioner's father by name, Murugesan, son of Mariyappan, aged about 57 years, confining at Palayamkottai Central Prison as life Convict in LCT No.4593 to make arrangement and participate in the petitioner's marriage dated 09.06.2023 in pursuance of Rule 20 of the Tamilnadu Suspension of Sentence Rules, 1982 or on the basis of the G.O.Ms.No.205 Home (Prison V), Department, dated 25.04.2022.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

R.SURESH KUMAR, J.
and
K.K.RAMAKRISHNAN, J.

This writ petition has been filed seeking a direction to the 2nd respondent to grant 21 days ordinary leave to the petitioner's father by name, Murugesan, son of Mariyappan, aged about 57 years, confining at Palayamkottai Central Prison as life Convict [LCT No.4593] to make arrangement and participate in the petitioner's marriage dated 09.06.2023.

2. The petitioner's father one Murugesan is the life convict and there has been an arrangement of marriage for his son which is slated to be conducted on 09.06.2023 and the convict is eligible for getting leave under the Tamilnadu Suspension of Sentence Rules, 1982. Therefore, seeking for 21 days ordinary leave, the petitioner, on behalf of the convict had given a representation to the respondents and in order to



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consider the same and to grant such ordinary leave of 21 days, this petitioner has filed the present Habeas Corpus Petition with the afore-stated prayer.

3. Heard Mr.R.Alagumani, learned counsel appearing for the petitioner and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor appearing for the respondents.

4. When this writ petition came up for hearing earlier, it was submitted on behalf of the respondent by the learned Additional Public Prosecutor that the said request of the petitioner will be considered and suitable decision would be taken on merits.

5.Pursuant to which when the case is taken up for hearing today, the learned Additional Public Prosecutor submitted that the request of the petitioner having been considered and order was passed on 02.06.2023



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under which the petitioner's father Murugesan, the life convict [Life Convict No.4593] has been considered for 5 days ordinary leave enabling him to attend the marriage to be held on 09.06.2023 for his son ie., from 06.06.2023 to 10.06.2023 with escort. The copy of the said order has been produced before this Court and copy of which had been served on the learned counsel appearing for the petitioner.

6. In view of the said order passed by the respondent, the plea raised by the petitioner since has been met and 5 days ordinary leave with escort since has been granted, recording the same, this Writ Petition is closed.

[R.S.K., J.] & [K.K.R.K.,J.]
05.06.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
PJJ



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To

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3. The Deputy Inspector of Prison,
Madurai Central Prison Campus,
Madurai Range,
Madurai.

4. The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli District.

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



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**R.SURESH KUMAR, J.
and
K.K.RAMAKRISHNAN, J.**

PJL

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