



W.P.(MD)No.13447 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD)No.13447 of 2023

GanaChinnammal

... Petitioner / Wife of the Detenue

Vs.

The State Represented by its,

1.The Deputy Inspector General of Prison,

Madurai Zone, Madurai-625 001.

2.The Superintendent,

Palayamkottai Central Prison,

Palayamkottai.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant emergency leave for 6 days without escort to the detenue, namely, Thangaraj, S/o.Peniyovan, aged about 38 years bearing Convict No.3634 at Central Prison, Palayamkottai in accordance with petitioner's representation dated 08.04.2023.



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For Petitioner : Mr.S.Manoharan

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

ORDER

(Order of the Court was made by ***R.SURESH KUMAR, J.***)

The petitioner has filed this Writ Petition, seeking a direction to the respondents to grant emergency leave for 6 days without escort to the detainee, namely, Thangaraj, S/o.Peniyovan, aged about 38 years bearing Convict No.3634 at Central Prison, Palayamkottai in accordance with petitioner's representation dated 08.04.2023.

2.The petitioner had already approached the jail authorities for grant of 6 days leave under the Tamil Nadu Suspension of Sentence Rules, 1982 for her husband, namely, Thangaraj and the same since was pending and not considered, in order to consider the same, this Writ Petition has been filed.



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3.Today, when the matter is taken up for hearing at the admission stage, the learned Additional Public Prosecutor for the respondents has submitted that the said request of the petitioner having been considered was rejected by the 2nd respondent vide letter dated 19.04.2023 and the same was also communicated to the petitioner.

4.A copy of such letter has also been produced before this Court. In view of the said letter of the 2nd respondent dated 19.04.2023, where the plea of the petitioner having been considered was rejected, it is for the petitioner to workout her remedy as against the said letter. As far as the prayer sought for herein is concerned, it has become infructuous. Therefore, this Writ Petition stands dismissed. No costs.

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

09.06.2023

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

MYR

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R.SURESH KUMAR, J.

AND

K.K.RAMAKRISHNAN, J.

MYR

To

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

2.The Superintendent,
Palayamkottai Central Prison,
Palayamkottai.

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

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