



WP(MD)No.23727 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2023

CORAM

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

W.P.(MD)No.23727 of 2023

M.Radha

... Petitioner

Vs.

1.The Additional Director General of Prison,
Egmore, Chennai 600 008.

2.The Deputy Inspector General (Prisons)
Central Prison,
Madurai 16

3.The Superintendent
Central Prison,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to grant parole/leave for one day to the petitioner's son namely S.M.Gopi aged 36 years now who is detained at Central Prison, Madurai, in CT No.1774 for 16th day death ceremony by considering the petitioner's representation dated 22.09.2023 and 25.09.2023.



WP(MD)No.23727 of 2023

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

ORDER

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

The petitioner's son has been convicted and detained in Central Prison, Madurai. When her husband had passed away on 15.09.2023, her son was granted leave on the same day for conducting the last rites. Since the 16th day ceremony falls on 01.10.2023, she had given a representations dated 22.09.2023 and 25.09.2023 to the respondents seeking for grant of one day emergency leave. Since the representations were not considered expeditiously, the present writ petition has been filed.

2. It is stated by the learned counsel for the petitioner that the petitioner's son, who is her younger son, had conducted the last rites and ceremony of his late father and therefore his presence in the 16th day ceremony is required. We are of the view that since the 16th day ceremony falls day after tomorrow, ie., on 01.10.2023 and next day being weekends, it would be appropriate that this Court



WP(MD)No.23727 of 2023

considers the petitioner's request.

WEB COPY

3. By taking into account the convict had conducted the last rites of his father, he could be granted two days leave with escort. Accordingly, there shall be a direction to the 2nd respondent herein to pass orders on the petitioner's representation dated 25.09.2023 and grant two days of leave from 10.00 a.m. on 01.10.2023 till 6.00 p.m. on 02.10.2023 together with reasonable conditions. Such order shall be passed atleast by 30.09.2023.

4. With the above direction, this Writ Petition stands disposed of.

(M.S.R.,J.) & (M.N.K.,J.)
29.09.2023

NCC : Yes / No
Index : Yes / No

Office to Note: Order copy by 29.09.2023

RR



WP(MD)No.23727 of 2023

To

1. The Additional Director General of Prison,
Egmore, Chennai 600 008.
2. The Deputy Inspector General (Prisons)
Central Prison,
Madurai 16
3. The Superintendent
Central Prison,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



WP(MD)No.23727 of 2023

M.S.RAMESH, J.

AND

M.NIRMAL KUMAR, J.

RR

W.P.(MD)No.23727 of 2023

29.09.2023