



W.P(MD)No.26567 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.11.2023

Coram

THE HON'BLE MR.JUSTICE **M.SUNDAR**
and
THE HON'BLE MR. JUSTICE **R.SAKTHIVEL**

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Subbuthai

.. 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

Prayer:- Petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of Mandamus, directing the respondents
to consider the petitioner's representation dated 10.10.2023 of the



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petitioner's husband namely Dinakaran, S/o.Stephen Selvaraj, C.P.No. 4765, being eligible by Justice Adinarayanan Committee by delegating the rules for premature release by G.O(Ms)No.488, Home (Prison IV) Department, dated 15.11.2021.

For Petitioner : Ms.S.Prabha
For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by M.SUNDAR, J.]

Captioned 'Writ Petition' [hereinafter 'WP' for the sake of convenience] has been filed in this Court on 01.11.2023 qua a 'representation dated 10.10.2023' [hereinafter 'said representation' for the sake of convenience] pertaining to premature release of 'writ petitioner's husband Thiru.Dinakaran, Son of Thiru.Stephen Selvaraj [C.P.No.4765] who is now lodged in Madurai Central Prison, Madurai [hereinafter referred to as 'prison inmate' for the sake of convenience].



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2.Ms.S.Prabha, learned counsel on record for writ petitioner

at the outset, submitted that a typographical error had crept into the prayer and expressed regret for the same. Learned counsel submitted that 'Hon'ble Justice Authinathan Committee' has been wrongly described as 'Justice Adinarayanan Committee'.

3.Considering the nature of the matter and considering the facts and circumstances of the case with a caveat that due and adequate care shall be taken in such matters in the days to come, we read 'Justice Adinarayanan Committee' in the prayer as 'Hon'ble Justice Authinathan Committee'.

4.Be that as it may, learned counsel submitted that said representation remains unattended, necessitating the filing of captioned WP in this Court on 01.11.2023.

5.Issue notice.



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6.Mr.A.Thiruvadi Kumar, learned State Additional Public Prosecutor accepts notice for all three respondents and submits that said representation is under consideration, it is being processed and that eight weeks from today will be a reasonable time frame to continue the drill to carry it to its logical end and conclude the same.

7.In the light of the narrative thus far, we dispose of the captioned WP with a directive to the first respondent to continue the drill of examining said representation, carry it to its logical end and conclude the same as expeditiously as the official business of first respondent would permit but in any event within eight weeks from today i.e., by 31.12.2023. Though obvious, the said representation shall be considered on its own merits and in accordance with law.

8.A copy of the decision taken shall be communicated to prison inmate forthwith and to writ petitioner (prison inmate's wife) under due acknowledgment within seven working days therefrom.



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9.Captioned WP is disposed of in the aforesaid manner.

There shall be no order as to costs.

(M.S.,J.) (R.S.V.,J.)
06.11.2023

Index : Yes/No

Neutral Citation : Yes/No

ps

**P.S: *Though the captioned WP is disposed of,
Registry is directed to list the matter
under the cause list caption 'FOR REPORT' on 03.01.2024.***



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- To
- 1.The Additional Chief Secretary to Government,
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 - 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.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,

ps

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