



**WP(MD)No.26986 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

**DATED:10.11.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.SUNDAR**

**and**

**THE HONOURABLE MR.JUSTICE R.SAKTHIVEL**

**W.P.(MD)No.26986 of 2023**

**and**

**W.M.P.(MD)No.23178 of 2023**

Natchathal

: Petitioner

**Vs.**

- 1.The Principal Secretary to Government,  
Home, Prohibition & Excise [Prison – IV],  
Fort St. George,  
Chennai – 600 009.
- 2.The Director General of Prisons,  
O/o. Prison Department Headquarters,  
Whannels Road,  
Egmore, Chennai – 600 008.
- 3.The Deputy Inspector General of Prisons,  
Trichy Range,  
Race Course Road,  
Trichy – 620 023.



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4.The Superintendent of Prisons,  
Central Prison,  
Trichy – 620 020.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 26.10.2023 and prematurely release her brother Nataraj S/o. Karuppaiya (Convict No.18507) now confined at Central Prison, Trichirappalli under G.O.(Ms) No.488 Home (Prison - IV) dated 15.11.2021.

For Petitioner : Mr.C.Karthikeyan

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

### **ORDER**

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

Captioned writ petition has been filed in this Court on 02.11.2023 qua a 'representation dated 26.10.2023' [said representation] with a mandamus prayer.

2.The aforementioned said representation is with a plea for premature release of Writ Petitioner's brother one Nataraj, son of Karuppaiya [Convict No.18507] now lodged in Central Prison, Trichirappalli.



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**3.**Mr.C.Karthikeyan, learned counsel for Writ Petitioner advertg to the aforementioned facts submitted that the plea for premature release is pending and therefore, captioned Writ Petition with a mandamus prayer has been filed.

**4.**Issue notice. Mr.A.Thiurvadi Kumar, learned Additional Public Prosecutor accepts notice for all the four respondents. Learned Additional Public Prosecutor, on written instructions, submitted that the prison inmate [Writ Petitioner's brother] is not eligible for being considered for premature release under Advisory Board Scheme as he is not completed 14 years but he is eligible for being considered for premature release under G.O.(MS)No. 488, Home (Prison – IV) dated 15.11.2021. Learned Additional Public Prosecutor submits that a proposal for premature release of the prison inmate under G.O.(MS)No.488, Home (Prison – IV) dated 15.11.2021, has been mooted, the same will be processed and twelve [12] weeks from today will be a reasonable time frame to conclude the process.

**5.** The narrative thus far addresses the concern of the Writ Petitioner and therefore, recording the same, we dispose of the captioned Writ Petition



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with a directive that the respondents shall take a call and decide about premature release of the prison inmate [Writ Petitioner's brother] in twelve [12] weeks from today ie., by 02.02.2024.

**6.** Captioned Writ Petition is disposed of in the aforesaid manner.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**[M.S.,J.] & [R.S.V.,J.]**  
**10.11.2023**

vsm  
Neutral Citation : Yes / No  
Index : Yes/No



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- 5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
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**M.SUNDAR, J.**  
**and**  
**R.SAKTHIVEL, J.**

vsm

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**10.11.2023**