



W.P.(MD)No.27758 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.27758 of 2023

T.Blessita

... Petitioner

Vs.

1.The State of Tamil Nadu, represented by its
The Principal Secretary to Government,
Home (Prison V) Department,
Secretariat, Fort St.George,
Chennai-600 009.

2.The Director General of Prison,
Gandhi Edwin Road, Egmore,
Chennai-600 008.

3.The Superintendent of Prison
Central Prison (Puzhal),
Chennai.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant three months ordinary leave to the petitioner's husband, namely, Thiyagu @ Thiyagarajan (C.T.No.8434), who is undergone for more than three years and ten months (from 09.02.2020) of



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imprisonment as per Rule 40 of Tamil Nadu Suspension of Sentence Rules, 1982 by considering the petitioner's representation dated 02.11.2023.

For Petitioner : Mr.B.Ragunatha Sethupathy

For Respondents : Mr.S.Ravi, Additional Public Prosecutor

ORDER

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

The relief sought for in the present Writ Petition is to grant three months ordinary leave to the petitioner's husband, namely, Thiyagu @ Thiyagarajan (C.T.No.8434), who is undergone for more than three years and ten months (from 09.02.2020) of imprisonment as per Rule 40 of Tamil Nadu Suspension of Sentence Rules, 1982 by considering the petitioner's representation dated 02.11.2023.

2.The learned Additional Public Prosecutor appearing for the respondents has made a submission that 21 days leave are available in the credit of the prisoner but reports are to be obtained from the Probation Officer and the local Police. The reports of the authorities are sought for by the prison authority, which is yet to be received.



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3. Under these circumstances, the 2nd respondent is directed to consider the representation submitted by the writ petitioner / wife of the convict and take a decision as expeditiously as possible, preferably, within a period of four (4) weeks from the date of receipt of a copy of this order.

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

(S.M.S., J.) & (V.L.N., J.)

23.11.2023

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

Yuva

To

1. The Principal Secretary to Government,
Home (Prison V) Department,
Secretariat, Fort St. George,
Chennai-600 009.

2. The Director General of Prison,
Gandhi Edwin Road, Egmore,
Chennai-600 008.

3. The Superintendent of Prison
Central Prison (Puzhal),
Chennai.

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

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AND

V.LAKSHMINARAYANAN, J.

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