



W.P(MD)No.28467 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2023

CORAM :

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

W.P(MD)No.28467 of 2023

Sundararajan

... Petitioner

vs.

1.The Deputy Inspector General (Prison),
Prisons Department,
Trichy Range,
Trichy.

2.The Superintendent of Prisons,
Central Prison, Trichy.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents herein to release the petitioner's son ANBALAGAN aged about 23 years on parole from 01.12.2023 till 22.12.2023 so as to enable him to attend the marriage of the petitioner brother's son which is scheduled to be held on 14.12.2023 at Kanchi Sankara Thirumana Mahal, Sekkanganni Road, Kumbakonam by considering his representation dated 15.11.2023, within the time stipulated by this Hon'ble Court



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For Petitioner : Mr.B.Jameelarasu

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

ORDER

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

When the matter was taken up, this Court was informed that the leave application for Writ Petitioner's son, who is a prison inmate has since been rejected vide order dated 30.11.2023 bearing reference No. 106/மு௨/2023 made by the first respondent.

2. As the captioned Writ Petition was one for Mandamus, learned counsel sought leave of this Court to withdraw the captioned Writ Petition but made a request to preserve all the rights and contentions of the petitioner, prison inmate and or any one concerned for the prison inmate to assail the aforementioned 30.11.2023 order in any manner known to law. Request acceded to.

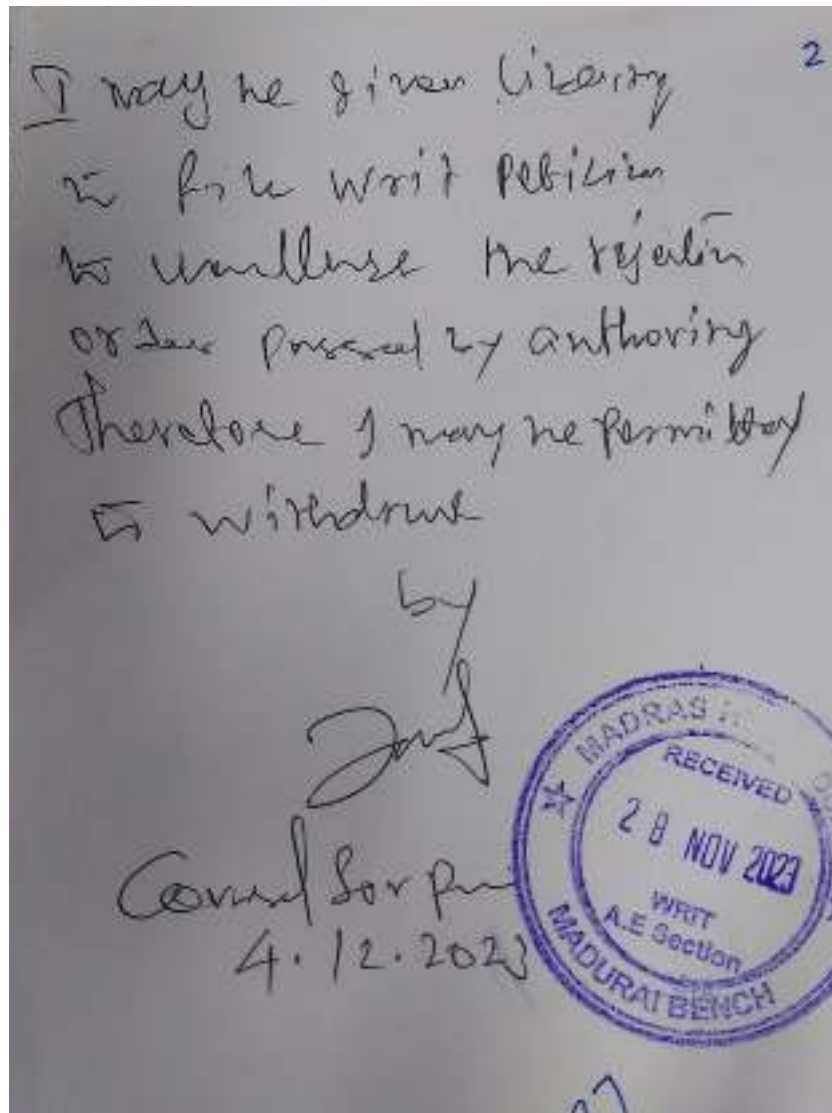
3. Learned has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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4. In the light of the narrative thus far, captioned Writ Petition is disposed of as withdrawn /closed albeit preserving all the rights and contentions of Writ Petitioner, prison inmate and or any one concerned for the prison inmate to assail the aforementioned order of the first respondent in a manner known to law. Though obvious we make it clear



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that if the aforementioned 30.11.2023 order of the first respondent is assailed, the same shall be considered on its own merits and in accordance with law by the Court/s/Forum/Fora/Authority/Authorities untrammelled by the withdrawal of captioned Writ Petition. There shall be no order as to costs.

(M.S., J.) (R.S.V., J.)
04.12.2023

Index : Yes/No
Neutral Citation : Yes/No

vsm



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To

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- 1.The Deputy Inspector General (Prison),
Prisons Department,
Trichy Range,
Trichy.
- 2.The Superintendent of Prisons,
Central Prison, Trichy.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

vsm

ORDER MADE IN
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DATED : 04.12.2023