



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

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Monday, the Fourth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice DR.G.JAYACHANDRAN
AND

The Hon`ble Mr.Justice C.KUMARAPPAN

WP(MD). No.31064 of 2023

Kavitha

... Petitioner

Vs

- 1 State of Tamil Nadu
Rep. by the Secretary to Government,
Home (Prison Iv) Department,
Secretariat Fort St George,
Chennai - 600009.
- 2 The Director General of Police and
Inspector General of Prisons and
Correctional Services,
Whannels Road,
Egmore,
Chennai - 600008.
- 3 The Deputy Inspector General of Prisons
and Correctional Services,
Madurai Range,
Madurai Central Prison campus,
New Jail Road,
Madurai - 625016.
- 4 The Superintendent of Prison,
Central Prison,
Palayamkottai.

... Respondents



Prayer :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the Respondents to grant 40 days ordinary leave for the petitioner's father namely Santhanapandi (LCT No. 6702) aged 50 years S/o. Krishnasamy, who confined at Palayamkottai Central Prison.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. R Venkatesan, Advocate for the Petitioner and of Mr. A.Thiruvadi Kumar, Government Advocate for the respondents, this Court made the following order:

Today, the matter is listed under the caption 'for reporting compliance'.

2. The Writ Petition was disposed of by this Court vide order dated 22.12.2023, with a direction to the third respondent to consider the petitioner's representation seeking ordinary leave for her father, on its own merits and in accordance with law.

3. The learned Additional Public Prosecutor appearing for the respondents submits that since the period of one year prescribed under the Rule to consider ordinary leave had not been completed, the request for ordinary leave was rejected.

4. The prison records indicate that the convict was earlier granted ordinary leave for 40 days and he availed it and returned to the prison on 14.05.2023. Therefore, he will be entitled for ordinary leave only after completion of one year, i.e., after 14.05.2024. Since the instant request for ordinary leave is made prematurely, the same has been rightly rejected. Hence, this Court finds no reason to interfere with the same. It is open to the petitioner to make fresh request for

ordinary leave for her father after completion of one year qua after 14.05.2024.



5. In view of the above, no further orders are required in the present Writ Petition.

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Sd/-
Assistant Registrar(CS II)

/03/2024
Sub Assistant Registrar
(CS- I/ II / III / IV)

TO

1. The Secretary to Government,
Home (Prison Iv) Department,
Secretariat Fort St George,
Chennai - 600009.
- 2 The Director General of Police and
Inspector General of Prisons and
Correctional Services,
Whannels Road,
Egmore,
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ORDER DATED : 04/03/2024

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ORDER

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WP(MD). No.31064 of 2023

Giving direction and etc.
as stated within.

MGJ(14.03.2024) 4P 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17.07.2023