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W.P.No.399 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.399 of 2024

Kaviya

... Petitioner

Vs.

1. The Principal Secretary,
Home (Prison) Department,
Secretariat, St. George Fort,
Chennai 600 009.
2. The Director General of Prison and Correctional Services,
Tamil Nadu Prison Department,
No.6, Whennals Road, Egmore,
Chennai 600 008.
3. The Deputy Inspector of General Prison & CS,
Office of DIG Prisons & CS,
Coimbatore Range,
Coimbatore 641 018.
4. The Deputy Inspector of General Prison & CS,
Office of DIG Prisons & CS, Vellore Range,
Vellore 632 002.



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5. The Superintendent of Prison,
Central Prison for men,
Coimbatore 641 018.

6. The Superintendent of Prison,
Special Prison for Women,
Vellore 632 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing respondents herein to take immediate steps to assess all the facts in the petitioner's grandmother Madhammal and the petitioner's father Muthumani who are undergoing their sentences more than 17 years in Special Prison for Women at Vellore and in Central Prison at Coimbatore and consider their cases for premature release as per the G.O.Ms.No.64, Home (Prison-IV) Department, dated on 01.02.2018 either by the above mentioned government order or by placing their cases for consideration by constituting Advisory Board for recommendation of their release on humanitarian grounds, within the time stipulated by this Court.

For Petitioner : M/s.D.Geetha

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor



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ORDER

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

The petitioner herein seeks for a direction to release her grandmother Madhammal w/o late Velayutham as well as her father Muthumani s/o. Velayutham. In connection with such request, she made a representation dated 25.10.2023 to the respondent and in view of the fact that her representation was not considered, the present Writ Petition has been filed.

2. The learned Additional Public Prosecutor on instructions submitted that the case of the female life convict prisoner viz., Madhammal FCP.No.2500 was considered favourably and has been released vide G.O(Ms)No.617, (Home Prison-IVA) Department, dated 06.12.2023 and the case of the petitioner's father Muthumani is under consideration.

3. In view of the above submissions, the request of the petitioner for premature release of her grandmother Madhammal has become infructuous. With regard to the petitioner's father Muthumani, we direct the respondents to consider the representation of the petitioner, dated 25.10.2023 for his



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premature release and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

4. With the above direction, this writ petition is disposed of. No costs.

[M.S.R., J] [S.M., J]
09.01.2024

pvs
Internet : Yes
Index : Yes / No
Neutral Citation : Yes / No



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7. The Public Prosecutor,
High Court, Madras.



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and
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