



WEB COPY



W.P.No.2280 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM :

**THE HONOURABLE MR. JUSTICE M.S. RAMESH**  
**AND**  
**THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

W.P.No.2280 of 2024

Pachayammal

... Petitioner

*Vs.*

1.The Additional Chief Secretary to Government,  
Home, Prohibition and Excise Department,  
Secretariat, Chennai – 600 009.

2.The Deputy Inspector General of Prison,  
Vellore Range, Vellore – 2.

3.The Superintendent of Prison,  
Central Prison, Vellore – 2.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to grant 30 days ordinary leave to the petitioner's brother Thepori Perumal, S/o.Govindasamy, aged 62 years, Convict No.19892, Convict Prisoner, Central Prison, Vellore.

For Petitioner

For Respondents

: Mr.P. Pugalenth

: Mr.E. Raj Thilak,

Additional Public Prosecutor

assisted by Mr.C. Aravind



W.P.No.2280 of 2024

**ORDER**

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

WEB COPY

In the present Writ Petition, the petitioner seeks for ordinary leave for her brother, who is a life convict prisoner and confined in Central Prison, Vellore, on the ground that he has to attend 13<sup>th</sup> day death ceremony of his mother, who expired on 23.01.2024.

2. Notice of the ceremony has been produced before this Court, which evidences that the ceremony is scheduled to be held on 04.02.2024.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that for the death of the life convict's mother, on 23.01.2024, six days emergency leave was granted to him. This apart, the petitioner was already granted ordinary leave for two spells recently between 20.10.2023 and 18.11.2023, as well as for a further period of two weeks till 02.12.2023.

4. In this background, we are of the view that the life convict prisoner shall be granted three days ordinary leave, commencing from 03.02.2024 to 05.02.2024.



W.P.No.2280 of 2024

**WEB COPY 5.** Accordingly, there shall be a direction to the respondents herein, to forthwith pass orders, granting ordinary leave to the petitioner's brother, without escort, for a period of three (3) days, commencing from 10.30 a.m. of 03.02.2024 to 5.30 p.m. of 05.02.2024. On expiry of the ordinary leave without escort, the detenu shall surrender before the prison authorities. During the period of this ordinary leave, the petitioner's son shall report before Palacode Police Station, Dharmapuri District, everyday at 10.30 am.

**6.** With the above directions, the Writ Petition stands allowed. No costs.

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

**01.02.2024**

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

***Sni***

**Note: Issue Order Copy on 02.02.2024.**



WEB COPY



W.P.No.2280 of 2024

**M.S.RAMESH, J.**  
**and**  
**SUNDER MOHAN, J.**

*Sni*

To

1.The Additional Chief Secretary to Government,  
Home, Prohibition and Excise Department,  
Secretariat, Chennai – 600 009.

2.The Deputy Inspector General of Prison,  
Vellore Range, Vellore – 2.

3.The Superintendent of Prison,  
Central Prison, Vellore – 2.

4.The Public Prosecutor,  
High Court, Madras.

W.P.No.2280 of 2024

01.02.2024