



W.P.No.5191 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2024

CORAM :

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

W.P.No.5191 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 14 days ordinary leave to the petitioner's brother Thepori
Perumal S/o.Govindasamy, aged 62 years, Convict No.19892, Convict



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Prisoner, Central Prison, Vellore.

For Petitioner : Mr.K.Sakthivel
for Mr.P.Pugalenth

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Mr.C.Aravind

ORDER

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

Initially, on the ground that the petitioner's brother/life convict had to attend 13th day death ceremony of his mother, he was granted leave from 03.02.2024 to 05.02.2024 by the order of this Court dated 01.02.2024 passed in WP.No.2280 of 2024. Thereafter, the leave was periodically extended from 05.02.2024 to 19.02.2024 on medical grounds. In this background, he has surrendered before the Prison Authority on 19.02.2024.



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2. The petitioner now states that her brother/life convict underwent a surgery for the calculus, left Ureteroscopy, Lithotripsy and DJ Stenting on 09.02.2024 and stent was also placed. As per the advice of the Urologist, the petitioner's brother has to be admitted in the Private Hospital at Dharmapuri on 01.03.2024 to remove the stent. These statements made by the petitioner stand ratified through a medical report issued by the Civil Surgeon, Central Prison, Vellore.

3. In the light of the medical procedure, which the petitioner's brother requires to undergo, we are inclined to consider the prayer sought for in the present Writ Petition.

4. Accordingly, there shall be a direction to the respondents herein, to grant Ordinary Leave to the petitioner's brother namely Thepori Perumal, S/o.Govindasamy, aged about 62 years, Convict No.19892, confined at Central Prison, Vellore, for a period of 10 days without escort, commencing from 01.03.2024 till 10.03.2024. During the period of this ordinary leave, the life convict shall report before Palacode Police Station,



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Dharmapuri District, once in 5 days at 10.30 am. After expiry of the Ordinary Leave, the life convict shall surrender before the third respondent herein, on 11.03.2024 before 10.00 a.m. The life convict shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.

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

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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Note: Issue Order Copy on 29.02.2024



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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.



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and
SUNDER MOHAN, J.

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