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W.P.No.7955 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.7955 of 2024

K.Kannan

... Petitioner

Vs.

1.The Inspector General of Prisons,
Vellore Range, Vellore – 2.

2.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 Certiorarified Mandamus, calling for the records No.1299/ThaKu.3/2024 dated 19.2.2024 passed by respondent No.2, and quash the same and consequently direct the respondents to grant 30 days ordinary leave to the petitioner's son Mr.Ranganathan, S/o.Kannan, aged 43 years, Ct.No.2373, Life Convict, now confined in the Central Prison, Vellore.



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For Petitioner : Mr.P.Pugalenth
For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor
assisted by Mr.C.Aravind

ORDER

M.S.RAMESH, J.
AND
SUNDER MOHAN, J.

This Writ Petition has been filed challenging the impugned order dated 19.02.2024, rejecting the representation of the petitioner dated 13.02.2024.

2. The only reason assigned in the impugned order for rejecting the petitioner's request for grant of ordinary leave to his son is that the life convict's appeal is pending before the Hon'ble Supreme Court.

3. The learned counsel for the petitioner submitted that as the petitioner is aged about 70 years, he wants to settle his property in his son/life convict's name and therefore, he sought for an ordinary leave for a period of 30 days for his son.



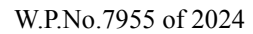
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4. The learned Additional Public Prosecutor has produced a report of the Probation Officer dated 01.04.2024, which is in favour of the life convict and the Probation Officer has stated that the reason for which the petitioner seeks for grant of ordinary leave for his son, is genuine.

5. Since no other reason has been assigned in the impugned order dated 19.02.2024 for rejecting the petitioner's representation and that the report of the Probation Officer dated 01.04.2024, is in favour of the petitioner, we are inclined to consider the prayer sought for in this Writ Petition.

6. Accordingly, the impugned order dated 19.02.2024 passed in No.1299/ThaKu.3/2024 by the second respondent, is hereby quashed. Consequently there shall be a direction to the respondents herein, to grant 28 days ordinary leave **“without escort”** to the life convict namely Mr.Ranganathan, S/o.Kannan, aged about 43 years, Ct.No.2373, commencing from 24.04.2024 to 21.05.2024, with a condition that the



7. With the above direction, the Writ Petition stands allowed. No

[S.M., J]

18.04.2024

Note: Issue Order Copy on 23.04.2024



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To

1.The Inspector General of Prisons,
Vellore Range, Vellore – 2.

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

3.The Public Prosecutor,
High Court, Madras.



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