



WEB COPY



W.P.No.9760 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.9760 of 2024

S.Veembu

... Petitioner

Vs.

1.The 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,
Cuddalore – 4.

... 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 consider the representation of the petitioner dated 12.2.2024 and grant 24 weeks ordinary leave to the petitioner's husband S.Senthilkumar S/o



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Selvaraj, aged 47 years, Convict Prisoner No.14681, now confined in the Central Prison, Cuddalore.

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.

On the ground that the petitioner requires the presence of her husband/prisoner for arranging funds for their children's education and further, that a eye surgery has to be conducted on the petitioner, she sought leave for her husband. She had also given a representation on 12.02.2024 in this regard. Since the same has not been considered till date, the petitioner has filed the present Writ Petition seeking for grant of 24 weeks ordinary leave without escort for her husband.

2. The learned Additional Public Prosecutor has produced a report of the Probation Officer dated 12.04.2024, wherein the Probation Officer has not recommended for grant of leave to the prisoner on the ground that



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the petitioner's husband has already been granted leave for sufficient number of days.

3. It is seen from the records that in the past year the petitioner's husband has been granted leave for 63 days, predominantly on the reason that he wants to look after his ailing mother and for arranging funds for his children's education. For the very same reason, the present application is also filed.

4. In view of the negative report given by the Probation Officer, we are not inclined to entertain the prayer sought for granting 24 weeks ordinary leave to the petitioner's husband in the present Writ Petition.

5. Accordingly, the Writ Petition stands dismissed. No costs.

[M.S.R., J]

[S.M., J]

17.04.2024

Index: Yes/No

Speaking/Non-speaking order

Tsg



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

Tsg

To

1.The 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,
Cuddalore – 4.

4.The Public Prosecutor,
High Court, Madras.

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