



W.P.No.14830 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.14830 of 2024

Blessita

... Petitioner

Vs.

1.The Inspector General of Prisons,
Prison Head Quarters,
Egmore, Chennai – 600 008.

2.The Superintendent of Prisons,
Central Prison-1,
Puzhal, Chennai – 600 066.

3.The Superintendent of Prisons,
Palayamkottai Prison,
Palayamkottai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents 1 and 2 to transfer the petitioner's husband from Central Prison-1, Puzhal,



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Chennai to Palayamkottai Prison by considering the representation of the petitioner dated 30.04.2024 for the petitioner's husband namely Thyagarajan S/o Murugesan aged 44 years Convict Prisoner, now confined in Central Prison-1, Puzhal.

For Petitioner : Ms.S.Nadhiya
For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor
Asst. by Mr.C.Aravind

ORDER

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

The petitioner, who is the wife of Thyagarajan, Son of Murugesan, now confined in the Central Prison-1, Puzhal, Chennai has come forward with this writ petition to direct the respondents 1 and 2 to transfer her husband to Central Prison, Palayamkottai.

2.The petitioner states that her husband was arrested by the Kottar Police Station, Nagerkovil, Kanyakumari District in Crime No.868/2010 and remanded him to judicial custody. After trial, he was convicted in S.C.No.600 of 2017 u/s. 302 IPC and sentenced to undergo life



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imprisonment and confined at the Central Prison, Palayamkottai. Thereafter, the petitioner preferred an appeal in CrI.A(MD)No.180 of 2020 before the Madurai Bench of the Madras High Court. However, on 18.11.2022, the conviction and sentence of the trial Court was confirmed by the Madurai Bench of the Madras High Court. The petitioner further states that she is residing with her two children at Thoothukodi and further, that she is physically disabled person and having 50% physical disability and is undergoing treatment for surgically removing a tumour in her chest also. She further added that she is unable to travel from Thoothukodi to Chennai to meet her husband and hence, she made a representation dated 30.04.2024 to the respondents to transfer her husband from Central Prison-1, Puzhal, Chennai to the Central Prison, Palayamkottai. Since the same has not been considered till date, she has come forward with this writ petition.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



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4.Having regard to the limited scope of the prayer in the writ petition, this Court, without going into the merits of the petitioner's representation or the contentions of the petitioner in the affidavit filed in support of this writ petition, directs the respondents to consider the representation of the petitioner, dated 30.04.2024 to transfer her husband from Central Prison-1, Puzhal to Central Prison, Palayamkottai and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

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

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

07.06.2024

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

Tsg



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To
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2.The Superintendent of Prisons,
Central Prison-1,
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3.The Superintendent of Prisons,
Palayamkottai Prison,
Palayamkottai.

4.The Public Prosecutor,
High Court, Madras.



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