



WEB COPY



W.P.No.18968 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.18968 of 2024

Latha

... Petitioner/Wife of the detenue

Vs.

The State Represented by its,

1. The Secretary to the Government of Tamil Nadu,
Department of Home,
Fort St.George,
Chennai – 600 009.
2. The Deputy Inspector General of Prison,
Puzhal Range,
Puzhal – 600 066.
3. The Superintendent,
Puzhal Central Prison,
Puzhal – 600 066.

... 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 ordinary leave for one month without escort to the detenue, Pushparaj, S/o. Paramasivam aged about 49 years, bearing Convict No.7913 confined at Central Prison, Puzhal.



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For Petitioner : Mr.P.Bakiyaraj
For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor

ORDER

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

The writ on hand has been instituted to direct the respondents to grant ordinary leave for one month without escort to the detainee, Pushparaj, S/o. Paramasivam aged about 49 years, bearing Convict No.7913 confined at Central Prison, Puzhal.

2. The learned Additional Public Prosecutor would submit that the detainee had undergone imprisonment for a period of **01 year 04 months 17** days. Therefore, he is not eligible for Ordinary Leave as per the Rules. On completion of 02 years of confinement, the detainee would be eligible to avail Ordinary Leave. Therefore, his application would not be considered by the Prison Authorities.

3. Mr.P.Bakiyaraj, the learned Counsel appearing on behalf of the petitioner would submit that the case of the detainee may be considered under any other provisions for grant of emergency leave.



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4. The learned Additional Public Prosecutor states that the application in this regard is to be submitted before the Authorities for consideration.

5. Though the detainee is not eligible to avail Ordinary Leave under the Rules, he is at liberty to submit an application seeking emergency leave and on receipt of any such application, the respondents shall consider the same and take appropriate decision and pass orders as expeditiously as possible without causing any undue delay.

6. With the above liberty, the Writ Petition stands **disposed of**. No costs.

[S.M.S., J.] [V.S.G., J.]

16.08.2024

Index: Yes/No

Speaking/Non-speaking order

veda



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To

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