



WEB COPY



W.P.No.19848 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2024

CORAM :

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.P.No.19848 of 2024

Meharunnisha
W/o Rafiyudeen

..

Petitioner

v.

1. The State represented by its
The Deputy Inspector General of Prison
Gandhi Irwin Road, Egmore
Chennai 600 008

2. The Superintendent
Puzhal Central Prison
Chennai 600 066

..

Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus, directing the respondents to
grant ordinary leave for 30 days without escort to the detenu Rafiyudeen S/o
Sulthan, aged about 55 years, bearing Convict No.8759 confined at Central
Prison, Puzhal.



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For Petitioner :: Ms.S.Sadhana

For Respondents :: Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

This petition for issuance of a writ of mandamus has been instituted to direct the respondents to grant ordinary leave for 30 days to the convict prisoner. During the pendency of the writ petition, the respondents rejected the leave application submitted by the petitioner.

2. The learned Additional Public Prosecutor would raise an objection by stating that the prisoner was convicted by Sri Lankan Courts and therefore the authorities have rejected the application seeking leave.

3. However, it is not in dispute that the prisoner is an Indian citizen, but convicted in Sri Lanka. He is undergoing imprisonment for the past about 8 ½ years. There is no adverse conduct noticed inside the prison. Considering the conduct of the prisoner and taking note of the fact that the prisoner is undergoing imprisonment for 8 ½ years, we are inclined to grant



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15 days ordinary leave to the prisoner Rafiyudeen S/o Sulthan, aged about 55 years, Convict No.8759, who is confined in Central Prison, Puzhal, Chennai on condition that escort is to be provided during the leave period. The leave shall commence from 10.30 a.m., on 27.09.2024 and the prisoner shall be brought back to the prison complex before 5.30 p.m., on 11.10.2024. The writ petition stands disposed of. No costs.

Index : yes/no
Neutral citation : yes/no

(S.M.S.,J.) (N.S.,J.)
20.09.2024

SS

To

1. The Deputy Inspector General of Prison
Gandhi Irwin Road, Egmore
Chennai 600 008
2. The Superintendent
Central Prison, Puzhal
Chennai 600 066
3. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

N.SENTHILKUMAR,J.

SS

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