



WEB COPY



W.P.No.20388 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2024

CORAM :

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

W.P.No.20388 of 2024

R.Selvi

... Petitioner

Vs.

The State represented by its

1. The Secretary to Government of Tamil Nadu,
Home Department,
Fort.St.George,
Chenna - 600 009.
2. The Superintendent,
Coimbatore Central Prison,
Coimbatore.

... 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 as per the provisions of Tamil Nadu Prison Rules 1983, the Rules 632, 633 and 634 and as per the G.O.(Ms).No.64, Para-IV dated 01.02.2018 and to release the life convict prisoner, the detenue, G.Ramasamy S/o. Ganesan aged 63 years, Convict No.20757, prematurely detained at Central Prison, Coimbatore.



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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 consider the application submitted by the detainee under the provisions of the Tamil Nadu Prison Rules, 1983 seeking premature release.

2. The application submitted since pending is to be considered on merits and order is to be passed.

3. Though the learned Counsel for the petitioner would submit that the application was submitted on 27.06.2024, but there is no proof to establish acknowledgement. In the absence of any acknowledgement, Court may not be in a position to direct the Authorities to take a decision on the application. It is to be established that the application was properly sent to the competent Authority, which must be acknowledged and thereafter the writ would lie but not otherwise. Therefore, the petitioner is at liberty to submit fresh application by following the procedures and in the event of receiving any such application from the petitioner, the same is directed to be considered on merits and in



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accordance with law.

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4. Accordingly, the Writ Petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[V.S.G., J.]

21.08.2024

Index: Yes/No

Speaking/Non-speaking order

veda



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To

The State represented by its

1. The Secretary to Government of Tamil Nadu,
Home Department,
Fort.St.George,
Chenna - 600 009.
2. The Superintendent,
Coimbatore Central Prison,
Coimbatore.
3. The Joint Secretary to Government,
Public (Law and Order) Department,
Fort St.George, Chennai - 9.
4. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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S.M.SUBRAMANIAM, J.
AND
V.SIVAGNANAM, J.

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