



WEB COPY



W.P.No.22281 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.22281 of 2024

Mareeshwar

... Petitioner

Vs.

1. The Deputy Inspector General Of Prisons,
Whannels Road, Egmore,
Chennai-600 008.

2. The Superintendent Of Prison,
Central Prison,
Salem.

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to grant 21 days ordinary leave without escort to the petitioner's husband namely Muniyasamy @ Padam Muniyasamy S/o.Muthu aged about 35 years, Convict No.9033, Prisoner, Central Prison, Salem.

For Petitioner : Ms.S.Nadhiya

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



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ORDER

(Order of the Court was delivered by S.M.Subramaniam J.)

The petitioner herein is the wife of the convict prisoner. The present writ petition is filed to direct the respondents to grant 21 days ordinary leave without escort to the petitioner's husband namely Muniyasamy @ Padam Muniyasamy S/o.Muthu aged about 35 years, Convict No.9033, Prisoner, Central Prison, Salem.

2. The petitioner submitted an application seeking ordinary leave for the detainee on 15.07.2024. However, the same has not been considered till date. Thus, the petitioner has come forward with this Writ Petition.

3. Learned Additional Public Prosecutor would submit that the petitioner submitted an application to the respondents seeking ordinary leave for 21 days without escort to the detainee, Muniyasamy @ Padam Muniyasamy S/o.Muthu, on 15.07.2024 and final order is yet to be passed since the writ petition has been instituted meanwhile, i.e., on 29.07.2024.

4. Heard the learned counsel for the petitioner and the learned



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Additional Public Prosecutor appearing for the respondents.

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5. In the present case, the petitioner submitted an application to the respondents seeking leave for 21 days without escort to the detainee, Muniyasamy @ Padam Muniyasamy S/o.Muthu, on 15.07.2024 and consequently, filed the present writ petition on 29.07.2024. Therefore, no reasonable time has been granted to the authorities to take a decision on merits and in accordance with the rules applicable. Thus, the respondents are directed to consider the application of the petitioner and pass orders on merits and in accordance with law, within a period of two (2) weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

(S.M.S.J.,)

(N.S.J.,)

29.08.2024

Index : Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

(sha)



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To

1. The Deputy Inspector General Of Prisons,
Whannels Road, Egmore,
Chennai-600 008.

2. The Superintendent Of Prison,
Central Prison,
Salem.

3. Public Prosecutor,
High Court of Madras.



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S.M.SUBRAMANIAM, J.

and

N.SENTHILKUMAR, J.

(sha)

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