



WEB COPY



W.P.No.24022 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.24022 of 2024

Sivapriya

... Petitioner

Vs.

1. The State Rep By Its,
The Deputy Inspector General Of Prison,
Gandhi Irwin Road, Egmore,
Chennai -600 008.

2. The Superintendent,
Puzhal Central Prison -I,
Puzhal-600 066.

... 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 ordinary leave for 30 days without escort to the detenue, Perumal S/o.Chithiraipandi, aged about 50 years bearing Convict No. 10059, confined at Central Prison, Puzhal.

For Petitioner : Ms.S.Sadhana

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 daughter of the convict prisoner. The present writ petition is filed to direct the respondents to grant ordinary leave for 30 days without escort to the detainee, Perumal S/o.Chithiraipandi, aged about 50 years bearing Convict No. 10059, confined at Central Prison, Puzhal.

2. The petitioner submitted an application seeking ordinary leave for the detainee Perumal on 10.07.2024. 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 30 days without escort to the detainee, Perumal, on 10.07.2024 and final order is yet to be passed since the writ petition has been instituted meanwhile, i.e., on 05.08.2024.



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

5. In the present case, the petitioner submitted an application to the respondents seeking ordinary leave for 30 days without escort to the detenue, Sreedhar, on 10.07.2024 and consequently, filed the present writ petition on 05.08.2024. 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 State Rep By Its,
The Deputy Inspector General Of Prison,
Gandhi Irwin Road, Egmore,
Chennai -600 008.

2. The Superintendent,
Puzhal Central Prison -I,
Puzhal-600 066.

3. Public Prosecutor,
High Court of Madras.



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S.M.SUBRAMANIAM, J.

and

N.SENTHILKUMAR, J.

(sha)

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