



WEB COPY

W.P.No.26742 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.26742 of 2024

and

W.M.P.No.29244 of 2024

Mr.Ramasamy

... Petitioner

Vs.

1.The State Represented by its,
Home Secretary (Prison-IV),
Home Department, Secretariat,
Fort St. George,
Chennai – 600 009.

2.The Director General of Prisons,
Gandhi Irwin Road, CMDA Building,
2nd Tower,
Egmore,
Chennai – 600 008.

3.The Superintendent of Prison,
Central Prison at Vellore,
Thorapadi,
Vellore – 2.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,



W.P.No.26742 of 2024

praying for the issuance of Writ of Mandamus, directing the 1st respondent to pass an order by consider the petitioner's brother representation dated 12.07.2024 and consequently direct the respondents to release the petitioner namely Mr.Ramasamy S/o. Late.Ellappan (CT No.331) forthwith set liberty.

For Petitioner : Mr.M.Mohamed Saifulla

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

ORDER

[Order of the Court is made by **S.M.SUBRAMANIAM, J.**]

The writ of mandamus has been instituted to direct the 1st respondent to pass orders by considering the representation dated 12.07.2024 seeking premature release of the convict prisoner Mr.Ramasamy S/o. Late.Ellappan (CT No.331).

2. The convict prisoner has as of now has completed actual imprisonment for about 14 years.



W.P.No.26742 of 2024

3. The learned counsel for the petitioner would submit that the prisoner is eligible for premature release under the scheme for remission. The application submitted since not considered, the writ petition came to be instituted.

4. The status report filed by the 3rd respondent / the Superintendent of Prison, Central Prison, Vellore would reveal that the prisoner has completed 14 years, 3 months and 6 days of actual imprisonment as on 10.09.2024. The convict prisoner's case under the Advisory Board Committee is under consideration. The Probation Officer, Krishnagiri and District Collector, Krishnagiri is requested to submit their respective report.

5. Since the process is going on, we are inclined to direct the 1st respondent to expedite the process of considering the case of convict prisoner and take a decision and pass appropriate orders on merits and in accordance with law as expeditiously as possible preferably within a period of three (3) months from the date of receipt of a copy of this order.



W.P.No.26742 of 2024

6. With the above direction, the Writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S., J.] [V.S.G., J.]
17.10.2024

Index : Yes
Speaking order / Non-speaking order
Neutral Citation : Yes

Jeni

To

- 1.The Home Secretary (Prison-IV),
The State,
Home Department, Secretariat,
Fort St. George,
Chennai – 600 009.
- 2.The Director General of Prisons,
Gandhi Irwin Road, CMDA Building,
2nd Tower,
Egmore,
Chennai – 600 008.
- 3.The Superintendent of Prison,
Central Prison at Vellore,
Thorapadi,
Vellore – 2.
- 4.The Additional Public Prosecutor,
Madras High Court.



WEB COPY



W.P.No.26742 of 2024

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

Jeni

W.P.No.26742 of 2024

17.10.2024