



WEB COPY

W.P.No.27848 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.27848 of 2024**

**and**

**W.M.P.No.29244 of 2024**

S.Aneesunisha

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,  
Home, Prohibition and Excise Department,  
Secretariat, Chennai – 600 009.

2.The Director General of Police /  
Director General of Prisons and Correctional Service,  
Whannels Road, Egmore,  
Chennai – 600 008.

3.The Superintendent of Prisons,  
Central Prison – I,  
Puzhal, Chennai 600 066.

... 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 the representation of the petitioner dated 05.09.2024 and extend the leave for a further period of 30 days to the petitioner's husband, Sadiq Basha,



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son of Saleem Basha, Convict Prisoner, Convict Prison I, Puzhal, Chennai  
(now released on leave).

For Petitioner : Mr.M.Radha Krishnan  
For Mr.P.Pugalenth  
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 respondents to consider the representation dated 05.09.2024 and extend the leave for a period of 30 days to the petitioner's husband / convict prisoner.

2. This Court vide order dated 19.08.2024 in W.P.19963 of 2024 granted 28 days ordinary leave to the prisoner commencing from 23.08.2024. On expiry of leave period on 20.09.2024, the prisoner surrendered before the Jail Authorities. Before expiry of leave, an application was submitted seeking extension, which provided cause of institution of the present writ petition.

3. Mr.M.Radha Krishnan, learned counsel for the petitioner would



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submit that the wife of the prisoner is suffering multiple medical issues and psychological effects due to medication. Further leave application submitted by the petitioner was rejected by the Prison Authorities in proceedings dated 24.09.2024.

4. In view of the fact that the reasons stated is to provide treatment to the wife of the prisoner and considering the fact that this Court had already granted ordinary leave for 28 days, we are not inclined to grant extension of leave to prisoner. However it is left open to the prisoner to submit leave application, if he is otherwise eligible under the relevant rules.

5. Accordingly, the Writ petition stands disposed of. No costs.

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

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

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To

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- 1.The Additional Chief Secretary to Government,  
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Director General of Prisons and Correctional Service,  
Whannels Road, Egmore,  
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- 3.The Superintendent of Prisons,  
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- 4.The Additional Public Prosecutor,  
Madras High Court.



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

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**17.10.2024**