



WEB COPY



W.P.No.31680 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.31680 of 2024

Pushpa

... Petitioner

Vs.

1. The Additional Director General of Prisons,
Whannels Road,
Egmore, Chennai - 600 008.

2. The Superintendent of Prison,
Central Prison,
Puzhal, Chennai - 600 066.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records in the order No.CP-PU1/2477/2024-R2 dated on 28.09.2024 passed by the 2nd respondent and quashing the same and directing the respondents to grant 15 days emergency leave for the petitioner's husband namely Chinnadurai S/o. Mariyasebastin, aged 53 years, Convict No.9084, Convict Prisoner, Central Prison, Puzhal.

For Petitioner : Mrs.S.Nadhiya

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor



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ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

Rejection of leave application passed by the second respondent in proceedings dated 28.09.2024 is sought to be assailed in the present writ petition.

2. The petitioner submitted an application seeking Emergency Leave on the ground that the wife of the prisoner has to undergo treatment. The Probation Officer during the course of enquiry ascertained that the reason stated in the leave application is correct and accordingly recommended the case of the prisoner for grant of Emergency Leave.

3. Considering the fact that the Probation Officer recommended the case of the prisoner for grant of Emergency Leave, we are inclined to interfere with the order impugned.

4. Accordingly, the impugned order passed by the second respondent in proceedings dated 28.09.2024 is hereby quashed and consequently, the convict prisoner *viz.*, Chinnadurai, S/o. Mariyasebastin, aged 53 years, bearing



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convict no.9084, confined at Central Prison, Puzhal Chennai is hereby granted

Emergency Leave for 6 days without escort commencing from 08.11.2024 on

the following conditions:

i) Respondents are directed to release the convict prisoner viz., Chinnadurai, S/o. Mariyasebastin, aged 53 years, bearing convict no.9084, confined at Central Prison, Puzhal, Chennai on Emergency Leave for a period of 6 days without escort commencing from 08.11.2024 to 14.11.2024.

(ii) The petitioner/Convict Prisoner shall be released on 08.11.2024 at 10.30 A.M. and surrender before the Superintendent, Central Prison, Puzhal, Chennai on 14.11.2024 at 05.30 P.M.

(iii) The petitioner/Convict Prisoner shall utilize the leave only for the ground on which it has been granted and shall not indulge in any other activities.

5. Accordingly, the writ petition stands **allowed**. No Costs.

[S.M.S., J.]

[M.J.R., J.]

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Index: Yes/No

Speaking/Non-speaking order

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- To
1. The Additional Director General of Prisons,
Whannels Road,
Egmore, Chennai - 600 008.
 2. The Superintendent of Prison,
Central Prison,
Puzhal, Chennai - 600 066.
 3. The Public Prosecutor,
Madras High Court,
Chennai - 600 104.



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S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

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