



WEB COPY



W.P.No.35105 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.35105 of 2023

Indiragandhi

... Petitioner

Vs.

- 1.The State, rep.by its
Additional Chief Secretary,
Home Department,
Government of Tamil Nadu,
Fort St.George,
Chennai 600 009.
- 2.Additional Superintendent of Prison,
Office of the Superintendent of Prison,
Central Prison,
Gandhipuram,
Coimbatore 641 018.
- 3.Deputy Inspector General of Police
Coimbatore Range,
Gandhipuram,
Coimbatore 641 018.



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4. The State Rep. by its
Inspector of Police,
Kichipalayam Police Station,
Salem.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second and third respondents to transfer the petitioner's son from Coimbatore Central Prison to Salem Central Prison by considering the representation of the petitioner dated 13.10.2023.

For Petitioner	:	Ms.J.Devi
For Respondents	:	Mr.E.Raj Thilak Additional Public Prosecutor assisted by Mr.C.Aravind

ORDER

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

The petitioner, who is the mother of the convict prisoner namely Jesus, Son of Suryamoorthi, now confined in the Central Prison, Coimbatore, has come forward with this writ petition to direct the respondents to consider her representation dated 13.10.2023 to transfer her



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son from Coimbatore Central Prison to Salem Central Prison.

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2.The petitioner states that her son was convicted for the offences under Sections 148, 449, 341, 302, 307, 324, 506(ii) r/w 149 of IPC and Section 3(i) of TNPPDL Act and remanded to judicial custody for more than 45 days. The petitioner further states that she is residing in Salem and as a senior citizen she is not able to visit her son, who is confined in Coimbatore prison. Therefore, she made a representation, dated 13.10.2023 to the respondents to transfer her son from Coimbatore Central Prison to Salem Central Prison. Since the same has not been considered till date, she has come forward with this writ petition.

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

4.Having regard to the limited scope of the prayer in the writ petition, this Court, without going into the merits of the petitioner's representation or the contentions of the petitioner in the affidavit filed in support of this writ



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petition, directs the respondents to consider the representation of the petitioner, dated 13.10.2023 to transfer her son from Coimbatore Central Prison to Salem Central Prison, and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

5. With the above direction, this writ petition is disposed of. No costs.

**[M.S.R., J] [S.M., J]
02.01.2024**

pvs

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No



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To

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4. The Inspector of Police,
Kichipalayam Police Station,
Salem.
5. The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and
SUNDER MOHAN, J.

pvs

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