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W.P.No.35670 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2024

CORAM :

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

W.P.No.35760 of 2024

Thanuja

... Petitioner

***Vs.***

1. The Government of Tamil Nadu,  
Represented by its Secretary to Government,  
Home (Prison - IV) Department,  
Fort St.George,  
Chennai - 9.
2. The Additional Director General of Prisons,  
Thalamuthu Natarajan Maaligai,  
2nd Floor, Gandhi Irwin Road,  
Egmore, Chennai - 8.
3. The Superintendent of Central Prison,  
Central Prison,  
Cuddalore.

... 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 of the 3rd respondent in his proceedings No.17469/Tha.Ku.2/2024 dated 09.11.2024 and quash the same and consequently direct the respondents to grant 30 days leave to the petitioner's father detenu namely R.Palanisamy,



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Life Convict No.16133, detained at Central Prison, Cuddalore without police escort on the basis of petitioner's representation dated 04.11.2024.

For Petitioner : M/s.R.L.Dhiplian Pandian  
For Respondents : Mr.R.Muniyapparaj  
Additional Public Prosecutor

### **ORDER**

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

The order of rejection rejecting the leave application in proceedings dated 09.11.2024 is sought to be quashed in the present writ proceedings.

2. Admittedly, the prisoner availed ordinary leave from 30.10.2024 to 19.11.2024. However, the prisoner submitted further application on the ground that he has to sell the property to meet out the educational expenses of his Daughter. The daughter of the prisoner has completed BDS and attempting to secure admission to MDS course. Therefore, the prisoner has to make necessary financial arrangements in order to secure admission for his daughter and pursue higher studies.

3. The learned Additional Public Prosecutor appearing on behalf of the respondents would submit that the reasons stated by the prisoner is genuine



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and the date of registration is fixed on 28.11.2024. The petitioner has furnished the Advance Registration Slip granted by the Sub-Registrar.

4. Taking note of the facts and circumstances, the prisoner is granted 15 days Ordinary Leave commencing from today i.e., 27.11.2024.

5. Accordingly, the impugned order passed by the second respondent in proceedings dated 09.11.2024 is hereby quashed and consequently, the convict prisoner viz., R.Palanisamy, Life Convict No.16133, confined at Central Prison, Cuddalore is hereby granted Ordinary Leave for 15 days without escort commencing from 27.11.2024 on the following conditions:

i) Respondents are directed to release the convict prisoner viz., R.Palanisamy, Life Convict No.16133, confined at Central Prison, Cuddalore on Ordinary Leave for a period of 15 days without escort commencing from 27.11.2024 to 11.12.2024.

(ii) The Convict Prisoner shall be released on today, i.e., 27.11.2024 forthwith and surrender before the Superintendent, Central Prison, Cuddalore on 11.12.2024 at 05.30 P.M.

(iii) The Convict Prisoner shall appear before the Tadagam Police Station, Coimbatore City twice in a week i.e.,



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every Monday and Thursday at 11.00 a.m. during the period of leave.

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

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

[S.M.S., J.]

[M.J.R., J.]

27.11.2024

Index: Yes/No

Speaking/Non-speaking order

*veda*

***Note: Issue order copy today i.e., on 27.11.2024.***



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To

1. The Government of Tamil Nadu,  
Represented by its Secretary to Government,  
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**S.M.SUBRAMANIAM, J.**  
**AND**  
**M.JOTHIRAMAN, J.**

*veda*

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