WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.35383 of 2023

Aarthi ... Petitioner

Vs.

The State represented by its

1.The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George, Chennai – 600 009.

2.The Additional Director General of Prison,
Egmore,
Chennai – 600 008.

3.The Superintendent,
Central Prison,
Coimbatore – 641 018.

4.The Superintendent,
Central Prison,
Vellore – 632 002. ... Respondents

https://www.mhc.tn.gov.in/judis

WEB COPY

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to transfer the detenue, Rajan, S/o.Shanmugam aged about 34 years, convict prisoner, bearing Convict No.22404 from Central Prison, Coimbatore to Central Prison, Vellore permanently.

For Petitioner : Mr.P.Bakiyaraj

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

ORDER

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

The petitioner, who is the wife of the convict prisoner namely Rajan, Son of Shanmugam, Ct. No.22404, now confined in the Central Prison, Coimbatore, has come forward with this writ petition to direct the respondents to transfer her husband to Central Prison, Vellore.

2.The petitioner states that her husband was convicted and sentenced to undergo life imprisonment in S.C.No.341 of 2010 dated 02.12.2011. The petitioner further states that her husband has been in incarceration for the past 8 years in Central Prison, Coimbatore and hence, she is not able to

https://www.mhc.tn.gov.in/judis

WEB COPY

manage even her basic needs and travelling expenses to visit her husband. Therefore, she made a representation dated 25.11.2023 to the respondents to transfer her husband from Central Prison, Coimbatore to Central Prison, Vellore permanently. 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 petition, directs the second respondent to consider the representation of the petitioner, dated 25.11.2023 to transfer her husband/life convict from Central Prison Coimbatore to Central Prison, Vellore permanently, and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

https://www.mhc.tn.gov.in/judis

WEB COPY

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

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

03.01.2024

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

Sni

https://www.mhc.tn.gov.in/judis

WEB COPY

To

1.The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George, Chennai – 600 009.

2.The Additional Director General of Prison,
Egmore,
Chennai – 600 008.

3.The Superintendent,
Central Prison,
Coimbatore – 641 018.

4.The Superintendent,
Central Prison,
Vellore – 632 002.

5.The Public Prosecutor,
High Court, Madras.

https://www.mhc.tn.gov.in/judis

WEB COPY

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

Sni

W.P.No.35383 of 2023

03.01.2024

https://www.mhc.tn.gov.in/judis