



W.P.No.35508 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

**W.P.No.35508 of 2023**  
**and WMP No.35475 of 2023**

G.Ramya

...Petitioner

VS.

1. The State of Tamil Nadu,  
rep by the Additional Chief Secretary to Government,  
Home, Prohibition and Excise Department,  
Secretariat, Chennai-600 009.

2. The Superintendent of Prison,  
Central Prison, Vellore-2.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the respondent No.2 in 19731/ThaKu.3/2023 dated 05.12.2023 and quash the same and consequently directing the respondents to grant 30 days leave to the petitioner's father Mr.Gunasekar @ Sekar, S/o



W.P.No.35508 of 2023

Sachidanandham, Life Convict, Ct.No.21210, now confined in Central Prison,  
Vellore.

For Petitioner : Mr.P.Pugalenth  
For Respondents : Mr.E.Raj Thilak  
Additional Public Prosecutor  
Assisted by  
C.Aravind

ORDER

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

When the petitioner has sought for grant of 30 days Ordinary Leave for her father Gunasekar @ Sekar, S/o Sachidanandham, Life Convict, Ct.No.21210, her request came to be rejected on 05.12.2023 stating that her father was already granted leave and therefore, he would be entitled for next spell of leave after 01.12.2024. Challenging the said order, the petitioner has filed the present writ petition.

2. When the matter was earlier listed, the learned Additional Public Prosecutor submitted that the petitioner's father is likely to be released



W.P.No.35508 of 2023

prematurely and accordingly, we had granted time till today for passing of final orders. In our order dated 22.01.2024, we recorded that the opportunity is being extended to the respondents for passing final orders and in case, no such orders are passed, this Court may be inclined to grant leave to the petitioner's father.

3. Today, when the matter was listed to day, learned Additional Public Prosecutor submits that passing final order in the petitioner's father's case for pre-mature release is under consideration.

4. In view of our earlier orders, we are inclined to grant Ordinary Leave to the petitioner's father Gunasekar @ Sekar, S/o Sachidanandham, Life Convict, Ct.No.21210, confined in Central Prison, Vellore without escort for a period of fifteen (15) days.

5. Accordingly, the petitioner's father Gunasekar @ Sekar, S/o Sachidanandham, Life Convict, Ct.No.21210, confined in Central Prison, Vellore is granted Ordinary Leave for a period of 15 days without escort,



W.P.No.35508 of 2023

commencing from 01.02.2024 till 15.02.2024, on the following conditions:-

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(i) the respondents are directed to grant Ordinary Leave to Gunasekar @ Sekar, S/o Sachidanandham, Life Convict, Ct.No.21210, confined in Central Prison, Vellore for a period of 15 days without escort, commencing from 01.02.2024 till 15.02.2024.

(ii) During the period of leave, the life convict prisoner is directed to report before the Inspector of Police, Gudiyatham Police Station, Vellore District twice a week i.e, every Monday and Thursday daily at 10.30 A.M.

(iii) After expiry of the ordinary leave, the life convict prisoner shall surrender before the 2nd respondent herein, on 15.02.2024 before 05.00 p.m.

(iv) The life convict prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.



W.P.No.35508 of 2023

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6. With the above directions, the writ petition stands partly allowed. No costs. Consequently, connected miscellaneous petition is closed.

(M.S.R.,J.) (S.M.,J.)  
29.01.2024

sr

Index:yes/no

Internet:yes/no

Note: Issue Order copy today(31.01.2024)

To

1. The State of Tamil Nadu,  
rep by the Additional Chief Secretary to Government,  
Home, Prohibition and Excise Department,  
Secretariat, Chennai-600 009.
2. The Superintendent of Prison,  
Central Prison, Vellore-2.
3. The Public Prosecutor,  
High Court, Chennai.



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W.P.No.35508 of 2023

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

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W.P.No.35508 of 2023

29.01.2024