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W.P.No.36308 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH
AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.36308 of 2024

Renuka

...Petitioner

VS.

The State, rep. by its

1. The Director Inspector General of Prison,
Vellore Range,
Vellor Centrl Prison,
Vellore – 641018.

2. The Superintendent,
Cuddalore Central Prison,
Cuddalore – 607 401.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing respondents to grant Ordinary Leave for 30 days to the petitioner's husband, the detenu Saravanan, S/o Mayavelu, aged about 26 years, Convict No.16989 detained at Central Prison, Cuddalore.

For Petitioner : Dr.S.Manoharan

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



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

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On the ground that the petitioner's husband's (viz., Saravanan) physical presence is required to make arrangements for admission of his two children, the petitioner seeks from grant of Ordinary Leave for her husband/convict prisoner.

2. The Deputy Inspector General of Prisons through his Report dated 03.02.2024 has stated that the petitioner's husband/life convict is eligible for grant of 21 days Ordinary Leave.

3. Rule 20 of Tamil Nadu Suspension of Sentence Rules, 1982 provides grounds for grant of Ordinary Leave to the prisoner who intends to make arrangements for the livelihood of his family and among such grounds, the reason for settlement of life after release and to make arrangements for the admission of the children in the school or college, is one among them.

4. In view of the Report of the Deputy Inspector General of Prisons, we are inclined to grant ordinary leave to the petitioner's husband viz., Saravanan, S/o Mayavelu, aged about 26 years for a period of fifteen days.



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5. Accordingly, the petitioner's husband viz., Saravanan, S/o.Mayavelu, aged about 26 years, bearing Convict No.16989, confined at Central Prison, Cuddalore is granted 15 days of Ordinary Leave without escort, commencing from 14.02.2024, with a condition that the petitioner's husband shall report before the Inspector of Police, Thittakudi Police Station, Cuddalor District, on every Monday and Thursday at 10.30 a.m.

6. On expiry of 15 days of Ordinary Leave, the petitioner's husband viz., Saravanan S/o Mayavelu, aged about 26 years, bearing Convict No.16989, shall surrender before the second respondent at 5.00 p.m of 28.02.2024.

The writ petition stands ordered accordingly. No costs.

(M.S.R.,J.) (S.M.,J.)
12.02.2024

sr

Index:yes/no

Internet:yes/no

Note: Issue Order copy on 13.02.2024



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M.S.RAMESH, J
and

SUNDER MOHAN, J

sr

To

1. The Director Inspector General of Prison,
Vellore Range,
Vellor Centrl Prison,
Vellore – 641018.
2. The Superintendent,
Cuddalore Central Prison,
Cuddalore – 607 401.
3. The Public Prosecutor,
High Court, Madras

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12.02.2024