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W.P.(MD) No.1961 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.1961 of 2024

S.Muthusamy

... Petitioner

-Vs-

1.The Deputy Inspector General of Prison,
O/o. The Deputy Inspector General of Prison,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai.

2.The Superintendent of Prison,
The Special Prison for Women,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 25.12.2023 and further, to direct them to grant parole of the petitioner's wife, namely, M.Revathy, convicted prisoner No.428 at Central Prison for Women, Madurai for a period of one month to take medical treatment.

For Petitioner : Mr.A.Raja

For Respondents : Mr.S.Ravi, Additional Public Prosecutor



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ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

The petitioner has filed this Writ Petition, seeking a direction to the respondents to grant medical leave for one month to the detinue, namely, M.Revathy, D/o.S.Muthusamy, convicted prisoner No.428 at Central Prison for Women, Madurai in accordance with petitioner's representation dated 25.12.2023.

2.The petitioner had already approached the jail authorities for grant of one month medical leave for his wife, namely, Revathy and the same since was pending and not considered, in order to consider the same, this Writ Petition has been filed.

3.Today, when the matter is taken up for hearing at the admission stage, the learned Additional Public Prosecutor for the respondents has submitted that the said request of the petitioner having been considered was rejected by the 2nd respondent vide letter dated 28.12.2023 and the same was also communicated to the petitioner.



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4.A copy of such letter has also been produced before this Court. In view of the said letter of the 2nd respondent dated 28.12.2023, where the plea of the petitioner having been considered was rejected, it is open to the petitioner to workout his remedy as against the said letter. As far as the prayer sought for herein is concerned, it has become infructuous. Therefore, this Writ Petition stands dismissed as infructuous.

[D.K.K., J.] & [R.V., J.]

01.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To

- 1.The Deputy Inspector General of Prison,
O/o. The Deputy Inspector General of Prison,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai.
- 2.The Superintendent of Prison,
The Special Prison for Women,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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