



W.P.(MD) No.2222 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2024

CORAM:

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

AND

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

W.P.(MD)No.2222 of 2024

Jeyapandiyan

... Petitioner / Brother of the Detenu

-Vs-

The State Represented by its,

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

2.The Deputy Inspector General of Prison,
Madurai Range, Madurai-625 001.

3.The Superintendent,
Palayamkottai Central Prison,
Thirunelveli-627 007.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant ordinary leave for 3 months without escort to the detenue, Uthira Selvam, S/o.Karuppasamy, aged about 40 years, Convict No.3023, confined at Central Prison, Palayamkottai.



W.P.(MD) No.2222 of 2024

For Petitioner : Mr.S.Manoharan

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

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 ordinary leave for 3 months without escort to the detenue, Uthira Selvam, S/o.Karuppasamy, aged about 40 years, Convict No.3023, confined at Central Prison, Palayamkottai.

2.The petitioner had already approached the jail authorities for grant of one month ordinary leave for his brother, namely, Uthira Selvam 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 12.02.2024 and the same was also communicated to the petitioner.



W.P.(MD) No.2222 of 2024

4.A copy of such letter has also been produced before this Court. In view of the said letter of the 2nd respondent dated 12.02.2024, 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.]

14.02.2024

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

Yuva

To

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

2.The Deputy Inspector General of Prison,
Madurai Range, Madurai-625 001.

3.The Superintendent,
Palayamkottai Central Prison,
Thirunelveli-627 007.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.(MD) No.2222 of 2024

D.KRISHNAKUMAR, J.

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W.P.(MD)No.2222 of 2024

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