



W.P.(MD) No.2913 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2024

CORAM:

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

AND

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

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Renubai

... Petitioner

-Vs-

1.The Secretary to Government,
Home Department (Prison),
Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai-9.

2.The Additional Director General of Police (Prisons) /
The Inspector General of Police,
Office of ADGP (Prisons) / I.G. Of Prisons,
Thalamuthu Natarajar Maaligai,
Egmore, Chennai-8.

3.The Superintendent of Prison,
Central Prison, Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to grant 40 days emergency leave to the petitioner's sons, without escort, who are confined in Central Prison, Madurai by name Madhav Magesh, S/o.Gopal (C.P.No.6256) aged about 34 years



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and Bala Yogesh, S/o.Gopal (C.P.No.6259), aged about 33 years a life convicts for the purpose of attending serious illness of their mother for a period of 40 days. ie., from 09.02.2024 to 19.03.2024.

For Petitioner : Mr.S.Srikanth,
For M/s.APN Law Associates
For Respondents : Mr.R.Meenakshi Sundaram,
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 3rd respondent to grant 40 days emergency leave ie., from 09.02.2024 to 19.03.2024 without escort to the petitioner's sons, namely, Madhav Magesh, S/o.Gopal (C.P.No.6256), aged about 34 years and Bala Yogesh, S/o.Gopal (C.P.No.6259), aged about 33 years, who are confined in Central Prison, Madurai as life convicts.

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



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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 Deputy Inspector General of Prisons, Madurai Range, Madurai, vide letter dated 08.02.2024 and the same was also communicated to the petitioner.

4.A copy of such letter has also been produced before this Court. In view of the said letter of the Deputy Inspector General of Prisons, dated 08.02.2024, where the plea of the petitioner having been considered was rejected, it is open to the petitioner to workout her 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.

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

09.02.2024

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

Yuva



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D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

Yuva

To

- 1.The Secretary to Government,
Home Department (Prison),
Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai-9.
- 2.The Additional Director General of Police (Prisons) /
The Inspector General of Police,
Office of ADGP (Prisons) / I.G. Of Prisons,
Thalamuthu Natarajar Maaligai,
Egmore, Chennai-8.
- 3.The Superintendent of Prison,
Central Prison, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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