



W.P.(MD) No.3322 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.3322 of 2024
and W.M.P.(MD) No.3305 of 2024**

Shanmuga Sundaram

... Petitioner

-VS-

1.The State of Tamil Nadu, Rep. by
the Principal Secretary to Government,
Home Prohibition & Excise Department,
St.George Fort, Secretariat,
Chennai – 9.

2.The Director General of Police /
Director General of Prisons and Correctional Services,
No.1, Gandhi Irvin Road,
Egmore, Chennai – 8.

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to



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issue a Writ of Mandamus, to direct the respondents to release the petitioner by name Shanmuga Sundaram son of Thangavel, aged about 59 years, now confining at Trichy Central Prison, under premature release on the basis of the G.O.Ms. 1155, Home (Pri IV) Department, dated 11.09.2008 or G.O.Ms.488, Home (Pri IV) Department, dated 15.11.2021 or G.O.Ms.430, Home (Pri IV) Department, dated 11.08.2023 or Letter No.33476/PSI/2023 dated 11.08.2023 issued by the Respondent No.2 or under Advisory Board Proceedings under Rule 341 of the Tamilnadu Prison Rules or any other appropriate order or Government Scheme in accordance with law.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.S.Ravi
Additional Public Prosecutor

ORDER

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

The Writ Petition has been filed seeking to issue a Writ of Mandamus, to direct the respondents to release the petitioner by name Shanmuga Sundaram son of Thangavel, aged about 59 years, now confined at Trichy Central Prison, under premature release on the basis of the G.O.Ms.1155, Home (Pri IV) Department, dated 11.09.2008 or G.O.Ms.488, Home (Pri IV) Department, dated 15.11.2021 or G.O.Ms.430, Home (Pri IV) Department, dated 11.08.2023 or



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Letter No.33476/PSI/2023 dated 11.08.2023 issued by the Respondent No.2 or under Advisory Board Proceedings under Rule 341 of the Tamilnadu Prison Rules or any other appropriate order or Government Scheme in accordance with law.

2. Today, when the matter was taken up for hearing, learned counsel on either side made a submission that the detenu has been prematurely released on the occasion of the 115th Birthday of Dr.Peraringnar Anna on 15.09.2023 vide G.O.(Ms).No.126 Home (Prison-IV) Department, dated 09.02.2023,

3. Recording the same, the Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is also closed.

[D.K.K., J.] [R.V., J.]
15.02.2024

Index : Yes / No

Internet : Yes / No

SJ

To

1.The Principal Secretary to Government,
Home Prohibition & Excise Department,
State of Tamil Nadu,
St.George Fort, Secretariat,
Chennai – 9.



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and
R.VIJAYAKUMAR, J.

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- 2.The Director General of Police /
Director General of Prisons and Correctional Services,
No.1, Gandhi Irvin Road,
Egmore, Chennai – 8.
- 3.The Superintendent of Prison,
Trichy Central Prison,
Trichy.

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