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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.03.2024

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

W.P.(MD) No.5649 of 2024

Malarkodi

....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 the ADGPO(Prisons)/IG of Prisons,
Thalaimuthu Natarajar Maaligai,
Egmore,
Chennai-8.

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

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to



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grant one month ordinary leave without escort to the Petitioner's husband namely, Thangapandi, son of Late. Ponnaiya, a life convict prisoner(Life Convict No.5858), now confined at Central Prison, Madurai, for the purpose of executing gift settlement in favour of Petitioner's son from 12.3.2024 to 12.4.2024 by considering the Petitioner's representation, dated 16.2.2024.

For Petitioner : Mr.S.Srikanth

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

ORDER

DR.G.JAYACHANDRAN,J.
AND
C.KUMARAPPAN,J.

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to consider the request of the Life Convict who is the husband of the Petitioner to grant ordinary leave.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The learned Additional Public Prosecutor appearing for the



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respondents/State submitted that the request of the Life Convict was taken up for consideration and rejected the same vide proceedings dated 08.03.2024, for the reasons stated in the proceedings.

4.Since the order has already been passed, this Writ Petition for mandamus is dismissed with liberty to the Petitioner to challenge the rejection order by way of Writ of Certiorarified Mandmus, if so advised.There is no order as to costs.

[G.J.,J.] [C.K.,J.]

11.03.2024

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

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 the ADGPO(Prisons)/IG of Prisons,

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Thalaimuthu 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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DR.G.JAYACHANDRAN,J.
AND
C.KUMARAPPAN,J.

vsn

ORDER MADE IN
W.P.(MD) No.5649 of 2024

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