



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.03.2024

CORAM:

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

W.P.(MD) No.6149 of 2024

M.Palaniyammal

....Petitioner

-VS-

1.The Home Secretary,
Home Department(Prison),
Government of Tamil Nadu,
Secretariat,
Fort st.George,
Chennai -600 009.

2.The Additional Director(Prisons),
CMDA Tower,
Chennai – 600 008.
Chennai-8.

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

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the representation dated 17.2.2024 and grant two months



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leave without escort to the detenu namely M.Pandian, son of Madasami, now confined in Madurai Central Prison.

For Petitioner : Mr.G.Murugendran

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 directing the respondents to consider the representation dated 17.2.2024 and grant two months leave without escort to the detenu namely M.Pandian, son of Madasami, now confined in Madurai Central Prison.

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

3.The learned counsel for the petitioner would submit that the Petitioner's request for ordinary leave without escort to the detenu



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namely M.Pandian, son of Madasami, now confined in Madurai Central Prison, has not been considered and hence the Writ Petition is filed for issuance of a Writ of Mandamus, for the relief stated supra.

3.When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents/State submitted that on consideration of the representation, orders have been passed and the same has been served on the detenu.

4.Since the order has already been passed and served on the detenu, this Writ Petition for mandamus does not survive and accordingly, the same stands dismissed, with liberty to the Petitioner to challenge the rejection order by way of Writ of Certiorarified Mandmus, if so advised, in the manner known to law. There is no order as to costs.

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

21.03.2024

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



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- 3.The superintendent of Prison,
Madurai Central Prison,
Madurai District.
- 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.6149 of 2024

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