



W.P.(MD).No.6351 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.03.2024

CORAM

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

W.P.(MD).No.6351 of 2024

Jeyapandiyan

.. Petitioner/
Brother of the Detenu

Vs.

The State represented by its

1.The Secretary to Government of Tamil Nadu,
Home Department,
Chennai – 600 009.

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

3.The Superintendent,
Palayamkottai Central Prison,
Tirunelveli – 627 007.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing No.187/U.Tha.2/2024, dated 12.02.2024, passed by the 2nd respondent and quash the same and consecutively direct the respondents to grant ordinary leave for 6 months without escort to



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Uthira Selvam, S/o.Karupasamy, aged about 40 years, Life Convict No. 3023, detained at Central Prison, Palayamkottai.

For Petitioner : Mr.S.Manoharan

For Respondents : Mr.S.Ravi
Additional Public Prosecutor

ORDER

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

The present Writ Petition is filed challenging the impugned order passed by the second respondent dated 12.02.2024 and consequently, direct the respondents to grant ordinary leave to the petitioner's brother, who is a life convict.

2. This Court has perused the reasons stated in the rejection order dated 12.02.2024. The petitioner's request for three months of ordinary leave for his brother was rejected by the State on the ground that the health report of the life convict does not warrant leave. The other reason stating that the convict needs to make arrangements for partition of the family



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property, was found to be false, since there is no property for division.

Hence, on perusal of the impugned order, this Court finds no error in it.

3. The learned counsel for the petitioner submits that there is a property for division, for which, arrangements must be made by the convict and further, the health of the convict requires additional medical care, for which, he needs ordinary leave.

4. In the absence of any document to substantiate the above plea, this Court cannot entertain the Writ Petition filed for Certiorarified Mandamus. Hence, the Writ Petition is dismissed with liberty to the petitioner herein to produce adequate documents to the prison authorities to substantiate his plea and seek for remedy in the manner known to law. There shall be no order as to costs.

(G.J.,J.) (C.K.,J.)
18.03.2024

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



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To

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Home Department,
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2. The Deputy Inspector General of Prison,
Madurai Range,
Madurai – 625 001.

3. The Superintendent,
Palayamkottai Central Prison,
Tirunelveli – 627 007.

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



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