



W.P.(MD)No.10115 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 29.04.2024

CORAM

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.P.(MD).No.10115 of 2024

Sundararajan

.. Petitioner

Vs.

1.State of Tamil Nadu, represented by
The Principal Secretary,
Home (Prison) Department,
State of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Director General of Police/
Director General of Prisons and Correctional Services,
C.M.D.A.Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai-600 008.

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

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to
issue a writ of Mandamus, directing the respondents to grant 3 days



W.P(MD)No.10115 of 2024

emergency leave to the petitioner under Section 6 of Tamil Nadu Suspension of Sentence Rules, 1982 by considering his representation dated 23.03.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mrs.M.Sudharani

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

The present Writ Petition is filed for a writ of mandamus seeking to direct the respondents to grant 3 days emergency leave to the petitioner under Section 6 of Tamil Nadu Suspension of Sentence Rules, 1982 by considering his representation, dated 23.03.2024 in accordance with law within the time stipulated by this Court.

2. The case of the petitioner is that his elder sister namely T.Lakshmi is suffering from several diseases, she is counting his last days, her last wish is to meet him and spend some time with him and hence, he seeks for 3 days emergency leave.



W.P(MD)No.10115 of 2024

3. When the matter is taken up for hearing today, the learned

Additional Public Prosecutor appearing for the respondents would submit that the petitioner has produced only the Xerox copy of the medical records of the sister before the respondents, therefore, the respondents are unable to pass an order. If the petitioner produce the original medical records of his sister before the respondents, the same will be considered and suitable orders will be passed as expeditiously as possible.

4. Recording the submission of the learned Additional Public Prosecutor, without going into the merits of the matter, we direct the petitioner to produce the original medical records before the prison authorities and after receipt of the original records, the prison authorities shall consider the same and pass suitable orders on merits and in accordance with law as expeditiously as possible.

5. In the result, this writ petition is disposed of. No costs.

(A.D.J.C.,J.) (K.R.S.,J.)
29.04.2024

NCC : Yes / No
Index : Yes / No
am



W.P(MD)No.10115 of 2024

WEB COPY

To

- 1.The Principal Secretary,
Home (Prison) Department,
State of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Director General of Police/
Director General of Prisons and Correctional Services,
C.M.D.A.Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai-600 008.
- 3.The Superintendent of Prison,
Trichy Central Prison,
Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.10115 of 2024

A.D.JAGADISH CHANDIRA,J.
and
K.RAJASEKAR,J.

am

W.P.(MD).No.10115 of 2024

29.04.2024