



W.P(MD)No.11342 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.05.2024

CORAM :

**THE HONOURABLE MS.JUSTICE R.N.MANJULA
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

W.P(MD)No.11342 of 2024

Lathiba Banu

... Petitioner

vs.

1. The Deputy Inspector General of Prison,
O/o. the Deputy Inspector General of Prison and Correctional Services,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai.

2. The Superintendent of Prison,
Central Prison,
Madurai.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the Respondent Nos.1 and 2 to grant ordinary leave to the period of 30 days to the petitioner's husband namely, Haji Ali who is convicted for 10 years in NDPS Act Case in CP.No.1807 and languishing Central Prison, Madurai, for the past 4 years by considering the petitioner's representation dated 25.04.2024.

For Petitioner : Mr.SMA.Jinnah

For Respondents : Mr.RMS.Sethuraman,

Additional Public Prosecutor



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ORDER

(Order of the Court was made by **R.N.MANJULA, J.**)

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The prayer in the writ petition is for issuance of a Writ of Mandamus, directing the Respondent Nos.1 and 2 to grant 30 days ordinary leave to the petitioner's husband namely, Haji Ali who is a convict in NDPS Act Case in CP.No.1807 at Central Prison, Madurai, for the past 4 years, by considering the petitioner's representation dated 25.04.2024.

2. Today, when the writ petition was taken up for hearing, Mr.RMS.Sethuraman, learned Additional Public Prosecutor, who takes notice for the respondents, has produced an order dated 21.05.2024, passed by the 1st respondent, whereby, the request of the petitioner to grant ordinary leave to the prisoner, was rejected stating that it is not feasible to consider the said request since the prisoner has only completed 11 months as against the sentence of 10 years.

3. Since the request of the petitioner is rejected, the Writ Petition is dismissed leaving it open to the petitioner to challenge the said order dated 21.05.2024 in the manner known to law. No costs.

(R.N.M., J.)

(C.K., J.)

Index : Yes / No

22.05.2024

Neutral Citation : Yes / No



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