



W.P(MD)No.11769 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.06.2024

CORAM

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

W.P.(MD).No.11769 of 2024

Sundaram
(Now confined at Central Prison, Palayamkottai) .. Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George,
Chennai-9.
- 2.The Director General of Police/
Director General of Prison and Correctional Service,
Whannels Road,
Egmore, Chennai-8.
- 3.The Deputy Inspector General of Prison,
Madurai Range,
Madurai Central Prison Campus,
Madurai, Madurai District.



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4.The Superintendent of Prison,
Palayamkottai Central Prison,
Palayamkottai,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to release the petitioner under premature release on the basis of G.O(Ms)No.488 Home (Prison-IV) Department dated 15.11.2021 or G.O(Ms) No.430 Home (Prison-IV) Department dated 11.08.2023 or under Advisory Board Proceedings in accordance with Rule 341 of the Tamil Nadu Prison Rules, 1983 or any appropriate Government Order or under any other Premature release scheme issued by the first respondent by considering the petitioner's representation dated 30.03.2024.

For Petitioner : Mr.N.Pragalathan

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 respondents to release the petitioner under premature release on the basis of G.O(Ms)No.488 Home (Prison-IV) Department dated



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15.11.2021 or G.O(Ms) No.430 Home (Prison-IV) Department dated 11.08.2023 or under Advisory Board Proceedings in accordance with Rule 341 of the Tamil Nadu Prison Rules, 1983 or any appropriate Government Order or under any other Premature release scheme issued by the first respondent by considering the petitioner's representation dated 30.03.2024.

2. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would submit that the representation of the petitioner, dated 30.03.2024 is under consideration and the proposal has also been sent to the Government and it will be considered and suitable orders will be passed within a period of eight (8) weeks.

3. Recording the submission of the learned Additional Public Prosecutor, without going into the merits of the matter, we direct the respondents to consider the representation of the petitioner, dated 30.03.2024 and pass orders on merits and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.



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4. Accordingly, this writ petition is disposed of. No costs.

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(A.D.J.C.,J.) (K.R.S.,J.)
06.06.2024

NCC : Yes / No
Index : Yes / No
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To

- 1.The State of Tamil Nadu,
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- 2.The Director General of Police/
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- 3.The Deputy Inspector General of Prison,
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Madurai Central Prison Campus,
Madurai, Madurai District.
- 4.The Superintendent of Prison,
Palayamkottai Central Prison,
Palayamkottai,
Tirunelveli District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

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