



W.P.(MD) No.12752 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2024

CORAM:

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

W.P.(MD) No.12752 of 2024

K.Saraswathi

... Petitioner

-vs-

1.The State
rep.by the Home Secretary
(Prison Department)
St.George Fort
Chennai-600 009

2.The Deputy Inspector General of Prison
O/o.The Deputy Inspector General of Prison
Madurai Range
A.A.Road, Arasaradi
Madurai-16

3.The Superintendent of Prison
Central Prison
Palayamkottai
Tirunelveli

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to grant 30 days ordinary leave without escort to the petitioner's husband / convict prisoner, namely, Kulasekara Pandian, son of Arunachala Nadar, by considering the petitioner's representation dated 29.05.2024.

For Petitioner : Mr.R.Prabhakaran

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

Prayer in this writ petition is to direct the respondents to grant thirty days ordinary leave, without escort, to the petitioner's husband / convict prisoner, namely, Kulasekara Pandian, son of Arunachala Nadar, by considering the petitioner's representation dated 29.05.2024.

2. It is the case of the petitioner that the petitioner's husband is in incarceration pursuant to the Judgment, dated 07.01.2021, passed by this



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WEB COURT in CrI.A.(MD) No.274 of 2018 and the appeal preferred by the convict against the conviction and sentence imposed on him is pending before the Honourable Supreme Court in C.A.No.2033 of 2022.

3. It is the further case of the petitioner that her husband is a senior citizen and he is suffering from some health ailments i.e., stroke and heart problems, thereby, he needs a proper medical care. Hence, she made a representation, dated 29.05.2024, to the respondents seeking grant of thirty days ordinary leave to her husband (convict). However, the same has not been considered by the respondents till date. Therefore, the petitioner has filed the present writ petition.

4. Today, when the matter is taken up for hearing, Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor, who takes notice for the respondents, on instructions, submitted that the petitioner's representation dated 29.05.2024, seeking thirty days ordinary leave to her husband / convict, is under consideration and suitable orders would be passed in accordance with law, in a week's time.



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5. Recording the above submission of the learned Additional Public Prosecutor appearing for the respondents, this writ petition stands closed. No costs.

[A.D.J.C., J.] [K.R.S., J.]

14.06.2024

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

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To:

- 1.The Home Secretary,
(Prison Department),
St.George Fort,
Chennai-600 009.
- 2.The Deputy Inspector General of Prison,
O/o.The Deputy Inspector General of Prison,
Madurai Range,
A.A.Road, Arasaradi,
Madurai-16.
- 3.The Superintendent of Prison,
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AND
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