



W.P.(MD).No.16647 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.02.2024

CORAM

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

W.P.(MD).No.16647 of 2023
and
W.M.P.(MD).No.13907 of 2023

P.Anthony Samy

.. Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Home (Prison – IV) Department,
Secretariat,
Fort St.George,
Chennai – 620 006.

2.The Additional Director General of Police /
Inspector General of Prisons,
Chennai – 620 008.

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

.. Respondents



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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 in G.O.(D).No.1060, Home (Prison) Department, dated 10.09.2019 on the file of the respondent no.1 and quash the same as illegal and consequently to direct the respondents to release the petitioner (Convict Prisoner No.8596) by taking note of the character and antecedents after confinement in the Central Prison, within a time stipulated by this Court.

For Petitioner : Mr.S.Louis

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 Prison Department, declining the premature release of the petitioner, who is a life convict prisoner, by name, Anthony Samy.



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2. The rejection order was passed on 10.09.2019 and the same has been challenged after four years in this Writ Petition. In the meanwhile, the Government has constituted a One Man Committee to consider the premature release of the life convict prisoners in view of the 115th birth centenary of Dr.Perarignar Anna. Accordingly, the name of the life convict, Anthonysamy has been positively considered by the State and G.O.(Ms). No.737, Home (Prison-IV) Department dated 28.12.2023 has been passed. Therefore, nothing survives for adjudication in this Writ Petition.

3. Accordingly, the Writ Petition stands dismissed as infructuous. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(G.J.,J.) (C.K.,J.)
20.02.2024

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



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To

1. The Additional Chief Secretary to Government,
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Central Prison,
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Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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