



WMP(MD). No.16179 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Monday, the Twenty Eighth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

AND

The Hon`ble Mr.Justice K. RAJASEKAR

WMP(MD). No.16179 of 2024

in

W.P.(MD)No.11934 of 2024

C.Ravichandran
S/o.Chinnakannu,
No.9/128 B Avarampatti,
Malayandipatti Manaparai,
Trichy-621 307

... Petitioner/Brother of the Detenue

Vs

1 The State Represented by Its,
The Director Inspector General of Prison,
Trichy Range,
Trichy Central Prison,
Trichy-620 020

2 The Superintendent,
Pudhukottai District Prison (Borstal School),
Pudukkottai-622 001.

... Respondents

Prayer in WMP(MD). No.16179 of 2024 :-

Writ Miscellaneous filed Under Article 226 of the Constitution of India, to modify the condition - 1 in order passed by the 1st respondent bearing No.106/MuVu/2024, dated 11.06.2024, to the detenue, C.Sathyaraj, S/o. Chinnakannu, aged about 34

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years, Convict No.5671, detained at Pudukkottai District Prison (Borstal School) as without escort.

Prayer in W.P.(MD)No.11934 of 2024:-

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant ordinary leave for 30 days without escort the detenue, C.Sathyaraj, S/o.Chinnakannu, aged about 34 years, Convict No.5671, detained at Pudukkottai District Prison (Borstal School).

ORDER:- This Writ Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.Manoharan, Advocate for the Petitioner and of Mr.Thiruvadikumar, Additional Public Prosecutor for the Respondents, this Court made the following order:

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

"This petition has been filed seeking to modify the condition imposed by the first respondent in his order bearing No.106/MuVu/2024 dated 11.6.2024 while granting ordinary leave for 28 days with escort to the petitioner's brother viz.,C.Sathyaraj S/o Chinnakannu, Convict No.5671 detained at District Prison (Borstal School), Pudukkottai as one of "without escort".

2. The petitioner had approached this Court with the writ petition for a direction to the respondents to grant ordinary leave for 30 days without escort to his



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brother C.Sathyaraj, however, when the matter was taken up for hearing, by producing a copy of the order passed by the Deputy Inspector General of Prisons, Trichy Range, it was brought to the notice of this court that the detenu was granted 28 days leave with escort and recording such development alone, the writ petition was closed.

3. The order sought to be modified having been passed by the Prison authority himself, the only remedy left to the petitioner is to challenge the same and a petition seeking modification cannot be entertained. Accordingly, it is dismissed."

Sd/-

Assistant Registrar (CS.I)

// True Copy //

/11/2024

Sub Assistant Registrar
(CS-I/II/III/IV)

raa

TO

1. The Director Inspector,
General of Prison,
Trichy Range ,
Trichy Central Prison
Trichy-620 020.

2. The Superintendent
Pudhukottai District Prison (Borstal School)
Pudukkottai-622 001.

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The Section Officer,
Writ Section,
Madurai Bench of Madras High Court,
Madurai

ORDER DATED : 28/10/2024

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ORDER
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in
W.P.(MD)No.11934 of 2024

Giving direction and etc.,
as stated within.

SL(19.11.2024)/ 4P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.