



WP(MD). No.19432 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 13/08/2024

CORAM

**The Hon`ble Mr.Justice C.V.KARTHIKEYAN
and**

The Hon`ble Mr.Justice J.SATHYA NARAYANA PRASAD

**WP(MD). No.19432 of 2024 and
WMP(MD) No.16491 of 2024**

Velayutham

... Petitioner

Vs

The State represented by its
1.The Secretary to Government of Tamilnadu
Department of Home, IV,
Fort St. George,
Chennai 600 009.

2.The Superintendent
Palayamkottai Central Prison,
Palayamkottai 620 020 .

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to consider the representation dated 14.06.2024 and consequently release the detenu, Sundaralingam S/o.Velayutham aged about 42 years bearing convict No.3357 confined at Central Prison, Palayamkottai as per G.Os. in G.O.(Ms) No.430 dated 11.08.2023.



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WP(MD). No.19432 of 2024

For Petitioner : M/s.K.Akshaya

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

Petition has been filed in the nature of mandamus seeking a direction to examine the representation dated 14.06.2024 and release the convict Sundaralingam S/o.Velayutham, who is a convict No.3357, confined at Central Prison, Palayamkottai.

2. The petitioner Velayutham, father of the convict, has taken recourse to the applicability of G.O.Ms.No.430 dated 11.08.2023. The Government order provides for premature release of a life convict only if a life convict has completed 14 years of minimum sentence. The cut off date is 15th September of every year. The Superintendent of Prison, Palayamkottai had examined the representation dated 14.06.2024 and had passed an order on 12.08.2024 in No.3357/தகு1/2024 and a copy of the same had also been served on the petitioner Velayutham. In the reply given, it had been stated that the son of the petitioner had not completed 14 years of statutory period as a convict.



WP(MD). No.19432 of 2024

WEB COPY

3. The learned Additional Public Prosecutor stated that as on 15.09.2023, Sundaralingam, son of the petitioner, had completed 12 years five months and 22 days of imprisonment and therefore, he is not eligible for being considered for premature release.

4. In view of the reasons stated, we are not in a position to grant the relief sought by the petitioner. At any rate, the writ petition, being only for a mandamus, to examine the representation, which has already been examined and replied by the 2nd respondent, the writ petition therefore stands dismissed. Consequently connected Miscellaneous Petition is closed.

(C.V.K.,J.) (J.S.N.P.,J.)
13.08.2024

RR



WP(MD). No.19432 of 2024

TO

1.The Secretary to Government
Department of Home, IV,
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2.The Superintendent
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Palayamkottai 620 020

3.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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WP(MD). No.19432 of 2024

C.V.KARTHIKEYAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

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WP .(MD)No.19432 of 2024

13.08.2024