



W.P(MD) No.20723 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 21.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P(MD) No.20723 of 2024

Mariappan

... Petitioner

Vs.

1.State of Tamil Nadu
Rep. by the Principal Secretary,
Home, Prohibition and Excise Department,
State Secretariat, Fort St.George,
Chennai-600 009.

2.The Director General of Police /
Director General of Prison and Correctional
Services,
C.M.D.A.Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai.

3.The Deputy Inspector General of Prisons,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai District.

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

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to release the petitioner by name Mariappan son of Thangavel now confining at Palayamkottai Central Prison, under premature release on the basis of the G.O.Ms.No.488, Home (Pri IV) Department, dated 15.11.2021 or G.O.Ms.No.430, Home (Pri IV) Department, dated 11.08.2023 or under Advisory Board Proceedings in accordance with Rule 341 of the Tamil Nadu Prison Rules 1993 any appropriate Government Order or any other premature release scheme issued by the Respondent No.1 by considering the representation submitted the petitioner dated 25.07.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The convict is undergoing life sentence in the Central Prison, Palayamkottai. He was convicted and sentenced vide Judgment dated 13.02.2006 in S.C.No.282 of 2005 on the file of the Additional District



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& Sessions Judge (Fast Track No.1), Thoothukudi. He seeks premature release. Since his representation dated 25.07.2024 was not considered, the present writ petition came to be filed.

3. We direct the first respondent to pass order on the petitioner's application on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order. We have not gone into the merits of the matter.

4.The Writ Petition is disposed of accordingly. No costs.

(G.R.S., J.) (R.P., J.)
21.11.2024

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

1.The Principal Secretary,
Home, Prohibition and Excise Department,
State Secretariat, Fort St.George,
Chennai-600 009.

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- 2.The Director General of Police /
Director General of Prison and Correctional
Services,
C.M.D.A.Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai.
- 3.The Deputy Inspector General of Prisons,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai District.
- 4.The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
R.POORNIMA, J.

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