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W.P.(MD)NO. 21379 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

W.P.(MD)No.21379 of 2024 AND

W.M.P.(MD)No.18123 of 2024

Muthulakshmi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Home (Prison-IV) Department,
State of Tamil Nadu,
Secretariat, St.George Fort,
Chennai -9.

2. The Additional Director General of Police /
Inspector General of Prisons,
C.M.D.A.Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai – 8.

3. The Deputy Inspector General of Prison,
O/o.the Deputy Inspector General of Prison,
Trichy Division,
Trichy.

4. The Superintended of Prison,
Trichy Central Prison,
Trichy District.

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to premature release the petitioner's brother by name Jeyamoorthy, (C.P.No.95640), S/o.Kothandabani, aged about 61 years now lodged and confined at Central Prison, Trichy have completed more than 33 years of actual sentence on the basis of the Humanitarian Ground in Government letter M.S.No.1358, Home dated 10.11.1994 and G.O.430 of 2023 and on the basis of the Advisory Board Scheme Rule 341(2) of the Tamil Nadu Prison Rule 1983 and G.O.Ms.No.596 of 2023 dated 24.11.2023 by considering the petitioner's representation dated 01.07.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Prakash

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

* * *

ORDER

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

Heard both sides.

2. The brother of the petitioner herein is undergoing life imprisonment in Central Prison, Trichy. The petitioner has given representation dated 01.07.2024 seeking premature release for her brother Jeyamoorthy (Convict Prisoner No.95640).



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3. We direct the first respondent to consider the petitioner's representation and pass order on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. We have not gone into the merits of the matter. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)

20th November 2024

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

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To:

1. The Principal Secretary to Government,
Home (Prison-IV) Department,
State of Tamil Nadu,
Secretariat, St.George Fort,
Chennai -9.
2. The Additional Director General of Police /
Inspector General of Prisons,
C.M.D.A.Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai – 8.
3. The Deputy Inspector General of Prison,
O/o.the Deputy Inspector General of Prison,
Trichy Division,
Trichy.
4. The Superintendent of Prison,
Trichy Central Prison,
Trichy District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.(MD)NO. 21379 OF 2024

G.R.SWAMINATHAN,J.

AND

R.POORNIMA, J.

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