



W.P(MD) No.22646 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 16.10.2024

CORAM

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P(MD) No.22646 of 2024

Kayalkodi

... Petitioner

Vs

1. The Deputy Inspector General of Prisons,
Prisons and Correctional Services Department,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai

2. The Superintendent of Prison,
Central Jail,
Madurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to grant ordinary leave for the period of 30 days to the petitioner's husband namely Arjunan, C.P.No.1707 who is convicted for 10 years in NDPS Act case and is languishing in Central Prison, Madurai for the past four years by considering the petitioner's representation dated 28.08.2024.



WEB COPY



W.P(MD) No.22646 of 2024

For Petitioner : Mr.SMA.Jinnah
For Respondents : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor.

ORDER

The Writ Petition has been filed in the nature of Mandamus seeking to consider the representation dated 28.08.2024, by which representation, the petitioner has sought emergency leave for 30 days to the petitioner's husband namely Arjunan, C.P.No.1707 who is confined Central Prison, Madurai.

2. The husband of the petitioner had been convicted by the I Additional Special Court for NDPS Act Cases, Madurai in C.C.No.139 of 2020 on 11.04.2023 for the offence punishable under Section 8(c)r/w. 20(b)(ii)(C) of NDPS and sentenced to undergo 10 years rigorous imprisonment, fine of Rs.1,00,000/- i/d to undergo 12 months simple imprisonment. Incidentally the husband of the petitioner had been convicted in yet another case in Azhapula Police Station, Kerala State again for offence under Section 8(c)r/w.20(b)(ii)(C) of NDPS and sentenced to undergo four years rigorous imprisonment.

2/5



W.P(MD) No.22646 of 2024

WEB COPY

3. We refrain from expressing our opinion whether the husband of the petitioner is eligible to be granted leave. Since the writ petition is only for a mandamus, we direct the respondents to pass orders on the representation given by the petitioner within a period of two weeks from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition stands disposed of.

(C.V.K., J.) (R.P., J.)
16.10.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
aav

Note : Issue order copy on 17.10.2024



W.P(MD) No.22646 of 2024

To

1. The Deputy Inspector General of Prisons,
Prisons and Correctional Services Department,
Madurai Range, Madurai Central Prison Campus,
New Jail Road, Madurai
2. The Superintendent of Prison,
Central Jail,
Madurai
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD) No.22646 of 2024

C.V.KARTHIKEYAN, J.
AND
R.POORNIMA, J.

aav

W.P(MD) No.22646 of 2024

16.10.2024