



W.P(MD)No.23057 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.11.2024

CORAM

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

W.P(MD)No.23057 of 2024

and

W.M.P.(MD)No.19544 of 2024

S.Pani @ Periyaservai

... 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.
 - 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,
Office of the Deputy Inspector General of Prison,
Madurai Division, Madurai Central Prison Campus,
Madurai - 16.
 - 4.The Superintendent of Prison,
Madurai Central Prison,
Madurai 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, directing the respondents to premature release the petitioner's son by name Ravishanmugam (CP No.4654) son of Pandi @ Periyaservai, aged about 40 years now lodged and confined at Madurai Central Prison have completed the more than 19 years of actual sentence on the basis the G.O.Ms.No.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 petitioner's representation dated 08.08.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Prakash

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

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

The father of the convict (Convict No.4654) is the petitioner before us. He seeks premature release for his son. The petitioner's son in incarceration since 17.01.2004.



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2.We do not want to go into the merits of the matter. We direct the first respondent to consider the application for premature release and take a decision on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

3.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (R.P. J.)
11.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

- 1.The Principal Secretary to Government,
Home (Prison - IV) Department,
State of Tamil Nadu,
Secretariat, St. George Fort,
Chennai.
- 2.The Additional Director General of Police /
Inspector General of Prisons,
C.M.D.A. Towers II, No.1, Gandhi Irvin Road,
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Office of the Deputy Inspector General of Prison,

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Madurai Division, Madurai Central Prison Campus,
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- 4.The Superintendent of Prison,
Madurai Central Prison,
Madurai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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**G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.**

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