



W.P(MD) No.23677 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HON'BLE Ms.JUSTICE R.POORNIMA**

W.P(MD) No.23677 of 2024

Vijayan

... Petitioner

Vs

1. The Deputy Inspector General of Prison,
O/o. the Deputy Inspector General of Prison
and Correctional Services,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road, Madurai.

2. The Superintendent of Prison,
Madurai Central Jail,
New Jail Road,
Madurai District.

... Respondents

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the respondent No.1 and 2 to grant ordinary leave for the period of 30 days to petitioner son namely Kaleeswaran S/o. Vijayan CP No. 1415 who is languishing in jail for past 4 years.

For Petitioner : Mr. SMA.Jinnah

For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor.



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ORDER

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The Writ Petition had been filed in the nature of mandamus seeking a direction to the respondents to grant ordinary leave for the period of 30 days to the petitioner's son namely Kaleeswaran, S/o. Vijayan, who is a convict prisoner No.1415, confined at Central Prison, Madurai.

2.In the affidavit filed in support of the writ petition, it had been stated that the wife of the petitioner has abdominal pain and found that there is a tumour in the uterus, which had been operated and cyst removed. However, the presence of the son of the petitioner is required. In this regard, the petitioner had given a representation on 20.09.2024

3. The learned Additional Public Prosecutor forwarded a copy of order, dated 20.10.2024 in No.695/Vu.Tha.2/2024, passed by the 1st respondent, Deputy Inspector General of Prison, Madurai Range, by which, the representation of the petitioner had been rejected.



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4.In view of the above, the writ petition seeking mandamus would not lie and hence, the Writ petition stands dismissed, granting liberty to the petitioner to challenge the order of rejection, in the manner known to law.

(C.V.K., J.) (R.P., J.)
23.10.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
PNM

To

1. The Deputy Inspector General of Prison,
O/o. the Deputy Inspector General of Prison
and Correctional Services,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road, Madurai.

2. The Superintendent of Prison,
Madurai Central Jail,
New Jail Road,
Madurai District.

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



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

PNM

ORDER MADE IN
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23.10.2024