



W.P(MD) No.24436 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 05.11.2024

CORAM

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

W.P(MD) No.24436 of 2024

Lakshmi

... Petitioner

Vs

1.The Principal Secretary to Government,
Home, Prohibition and Excise (Prison-Iv) Department,
Fort St. George,
Chennai – 600 009.

2. The Inspector General of Prisons,
O/o. Prison Department Headquarters,
Whannels Road,
Egmore,
Chennai – 600 008.

3. The Deputy Inspector General of Prisons,
Trichy Range,
Race Course Road,
Trichy – 620 023.

4. The Superintendent of Prisons,
Central Prison,
Trichy – 620 020.



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5. The Superintendent of Police,
District Police Office,
Near Collector Office,
Karur – 639 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Impugned order passed by the 3rd respondent vide his proceedings in Moo.Mu.No. 419 / Mu.Vu / 2024 dated 20.09.2024 and quash the same as illegal and void, consequently grant 21 days ordinary leave without police escort to petitioner's husband namely Rajan, S/o. Palanisamy (Convict Prisoner No. 20943, P.I.D. No. 425725) confined at Central Prison, Tiruchirappalli, forthwith considering petitioner's representation dated 22.08.2024.

For Petitioner : Mr.C.Karthikeyan

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

ORDER

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

Heard both sides.



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2.The petitioner's husband Rajan, S/o. Palanisamy (Convict Prisoner No. 20943) is undergoing imprisonment in Central Prison, Trichy. The petitioner sought ordinary leave for 21 days for her husband. The request was accepted by the third respondent vide proceedings dated 20.09.2024. The reason for seeking ordinary leave was to enable solemnizing the daughter's marriage.

3.The petitioner is however aggrieved by the stipulation that there will be a single escort. The petitioner's real grievance appears to be that she is not in a position to bear the cost of escort.

4.We make it clear that the petitioner need not pay the cost of upfront. It can be deducted from out of wages earned by the convict prisoner. The prisoner shall be let out under single escort for 21 days ordinary leave from the prison at 10.00 a.m., on 11.11.2024 and he shall return to the prison at 5.00 p.m., on 01.12.2024. The escort accompanying the prisoner shall wear civil dress.



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5.The impugned order is accordingly modified. This Writ

Petition stands disposed of.

(G.R.S., J.) (R.P., J.)
05.11.2024

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

RM



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Madurai Bench of Madras High Court,
Madurai.



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