



W.P(MD) No.24698 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date :19.10.2024

CORAM

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

W.P(MD) No.24698 of 2024

Shabira Banu

... 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
O/o The Superintendent of Prisons,
Central Prison,
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 petitioner's husband for the period of 30 days who is a life convict namely Ibrahimsha, C.P.No.5830 by considering the petitioner's representation dated 05.10.2024.



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For Petitioner : Mr.S.M.A. Jinnah
For Respondents : Mr.A. Thiruvadikumar
Additional Public Prosecutor.

ORDER

The Writ Petition has been filed in the nature of madamus seeking direction against the respondents to consider the representation dated 05.10.2024, by which representation the petitioner had sought ordinary leave to her husband namely Ibrahimsha, C.P.No.5830 for a period of thirty days who is now confined at Central Prison, Madurai.

2.The respondent has under Rule 24 of the Tamil Nadu Suspension of Sentence Rules, 1982, a period of 28 days to examine the representation given.

3. The learned Additional Public Prosecutor stated that the stipulation of 28 days is uniformly followed and as a matter of fact directed to be followed by the order of the Division Bench of the Principal Bench in the judgment reported in ***2024 SCC Online Mad***



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4786 in the case of ***Usha .vs. Director General of Police and another .***

The Division Bench therein had only reiterated the rules stipulated under the Suspension of Sentence Rules, 1982

4. In view of that particular fact, we would issue a direction to the respondents to pass orders on the representation given by the petitioner herein within a period of 28 days from 05.10.2024. Liberty is also granted if such order is adverse to the petitioner herein to file a fresh writ petition.

5. In the result, the Writ Petition stands dismissed.

(C.V.K., J.) (R.P., J.)
19.10.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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