



W.P(MD) No.25041 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.25041 of 2024

A. Rajathi

... Petitioner

Vs

1. The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai – 600 009.

2. The Deputy Inspector General of Prisons,
Madurai Range,
Madurai – 625 001.

3. The Superintendent of Prison,
Central Prison,
Palayamkottai - 627007.

... Respondents

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus direct the 3rd respondent to enlarge the petitioner's husband Sivakandan, S/o. Kanmani aged 41 years (Convict Prisoner No. 4645) is to grant 6 days emergency leave without escort, confined at Central Prison, Palayamkottai



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For Petitioner : Mr. P.M.Basil

For Respondents : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor.

ORDER

The Writ Petition had been filed in the nature of mandamus seeking a direction to the respondents to grant emergency leave for a period of 6 days for the husband of the petitioner, Sivakandan, S/o. Kanmani, (Convict Prisoner No. 4645), who is now confined at Central Prison, Palayamkottai.

2.In the affidavit filed in support of the writ petition, it had been stated that the mother-in-law of the petitioner is undergoing treatment for Asthma for the past six years. Now, her condition is serious and she is bed ridden.

3.The learned Additional Public Prosecutor pointed out that the orders have now been passed by the respondents by granting emergency leave for a period of 3 days to the petitioner's husband with sureties as stipulated under the Tamil Nadu Suspension of Prison Rules, 1982.



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4.In view of the above, we are confident that the sureties sought only in accordance with the Tamil Nadu Suspension of Prison Rules, 1982, and not otherwise. Since emergency leave for a period of 3 days had been granted, no further order is required. Accordingly, this writ petition stands disposed of.

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

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

To

1. The Home Secretary,
Home Department (Prison),
Secretariat, Fort St. George,
Chennai – 600 009.

2. The Deputy Inspector General of Prisons,
Madurai Range,
Madurai – 625 001.

3. The Superintendent of Prison,
Central Prison,
Palayamkottai – 627 007.

4. 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