



**W.P(MD)No.24757 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED:12.01.2024**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

**and**

**THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

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Ramalingam

... Petitioner/father of the detenue

Vs.

The State represented by its,

1.The Secretary to Government of Tamilnadu,  
Prison Department (IV),  
Chennai – 600009.

2.The Superintendent,  
Palayamkottai Central Prison,  
Palayamkottai – 627 007.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents to consider the representation, dated 10.08.2023 and consequently release the detenue, Ravi, S/o.Ramalingam, aged about 43 years, LCT.No.3316, confined at Central Prison, Palayamkottai, as per G.O(Ms)No.64 (in Part IV(b), dated 01.02.2018 and under Rule Nos.632, 633 and 634 of the Tamil Nadu Prison Rules, 1983.



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For Petitioner : Ms.S.Lakshmi  
For Respondents : Mr.S.Ravi,  
Addl. Public Prosecutor

**ORDER**

(Order of the Court was made **by J.NISHA BANU, J.**)

This Writ Petition has been filed by the petitioner seeking for a direction to the respondents to consider the representation of the petitioner, dated 10.08.2023 and consequently release the detenu, Ravi, S/o.Ramalingam, aged about 43 years, LCT.No.3316, confined at Central Prison, Palayamkottai, as per G.O(Ms)No.64 (in Part IV(b), dated 01.02.2018 and under Rule Nos.632, 633 and 634 of the Tamil Nadu Prison Rules, 1983.

2. The learned counsel appearing for the petitioner would submit that the detenu is suffering from Traumatic left **epididymo – orchitis and sensory neuropathy with trophic ulcer with callosities** and therefore, the petitioner, who is the father of the detenu has sent a representation to the respondents on 10.08.2023 seeking to release the detenu prematurely as per G.O(Ms)No.64 (in Part IV(b), dated 01.02.2018 and under Rule Nos.632, 633 and 634 of



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the Tamil Nadu Prison Rules, 1983. Since the same has not been considered, the petitioner has filed this writ petition.

3. Earlier, considering the health condition of the detenu, ordinary leave has been granted to the detenu and the same was extended upto 12.01.2024. Even thereafter, further extension was sought for by the petitioner. The said request was rejected by this Court vide order, dated 10.01.2024 and this Court directed the detenu to surrender before the jail authorities.

4. Today, when the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the State, on instructions, would submit that the detenu surrendered before the jail authorities.

5. However, the learned counsel for the petitioner would submit that considering the health condition of the detenu, extension of ordinary leave may be granted.

6. We are of the view that since the detenu already surrendered before the jail authorities, there is no question of extension of ordinary leave at all. However, considering the health issues of the detenu, the



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Dean, Tirunelveli Medical College Hospital, Tirunelveli, is directed to constitute a Medical Board to examine the health condition of the detenu and give a report, preferably within two weeks and thereafter, the respondents are directed to take action in accordance with law.

7. With the above direction, this writ petition is disposed of.

**[J.N.B.,J.] & [K.K.R.K.,J.]**

**12.01.2024**

Index :Yes/No

NCC :Yes/No

pm

To

- 1.The Dean,  
Tirunelveli Medical College Hospital,  
Palayamkottai,  
Tirunelveli.
- 2.The Secretary to Government of Tamilnadu,  
Prison Department (IV),  
Chennai – 600009.
- 3.The Superintendent,  
Palayamkottai Central Prison,  
Palayamkottai – 627 007.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**J.NISHA BANU, J.**  
**AND**  
**K.K.RAMAKRISHNAN, J.**

pm

**ORDER MADE IN**  
**W.P(MD)No.24757 of 2023**

**12.01.2024**