



W.P(MD)No.26295 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.11.2024

CORAM

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

W.P(MD)No.26295 of 2024

Vimalarani

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Deputy Inspector General of Prison,
Madurai Zone, Madurai Central Prison,
Madurai – 625 016.
 - 2.The Superintendent of Prison,
Open Air Prison,
Purasadai Udaippu,
Sivagangai.
 - 3.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.
- ... 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 to grant ordinary leave for 30 days without escort to the petitioner's husband, the prisoner, Ganesan, S/o.Sivasankaran, convict No-0181, presently detained at Open Air Prison, Sivagangai.



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For Petitioner : Mr.R.Narayanan

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

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ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The petitioner sought grant of ordinary leave. The petitioner's request was rejected vide communication dated 09.05.2024. This order will have to be questioned by filing a Writ of Certiorari. A Writ of Mandamus will not lie. It is open to the writ petitioner herein to file a fresh writ petition on the same cause of action by challenging the communication.

3.With the aforesaid liberty, this writ petition is dismissed. No costs.

(G.R.S. J.) & (R.P. J.)
04.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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**G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.**

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