



W.P(MD)No.26530 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.11.2024

CORAM

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

W.P(MD)No.26530 of 2024

S.Karumeniammal

... Petitioner

Vs.

The State Represented by its,

1.The Secretary to Government of Tamilnadu,
Home Department, Fort St.George,
Chennai – 600 009.

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

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

4.The Superintendent of Police,
Office of Superintendent of Police,
Tirunelveli – 627 426.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the rejection order No.23/Vu.Tha.2/2024 dated 11.10.2024 issued by the 2nd respondent and quash the same and



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grant leave for 40 days without escort to the detenue, Palani S/o.Sankarapandi age about 48 years life convict prisoner bearing convict No.4296 detained at Central Prison Palayamkottai.

For Petitioner : Mr.S.Manoharan

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

ORDER

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

Heard both sides.

2.The petitioner's son / Palani is undergoing life imprisonment in Central Prison, Palayamkottai (Convict No.4296). The petitioner is said to be ill. Therefore, she seeks 40 days ordinary leave for her son. It was rejected vide order 11.10.2024. Questioning the same, this writ petition came to be filed.

3.The petitioner's son is in prison for nine years and three months. He is therefore eligible for 28 days ordinary leave. The probation officer has also recommended the case of the convict for ordinary leave.



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4.In this view of the matter, the impugned order is set aside and the writ petition is allowed on the following conditions:-

(a)The convict-prisoner, Palani, S/o.Sankarapandi [Convict No.4296] now detained in the Central Prison, Palayamkottai is granted ordinary leave for twenty eight (28) days from 25.11.2024 to 24.12.2024 without escort.

(b) The convict prisoner shall be released from the prison at 05.00 p.m., on 25.11.2024 and he shall return to the prison at 10.00 a.m., on 24.12.2024.

(c) During the said leave period, he shall report before the Inspector of Police, Mukkudal Police Station, Tirunelveli District daily at 10.00 a.m., from 26.11.2024 onwards, without fail.

(d) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual. No costs.

**(G.R.S. J.) & (R.P. J.)
19.11.2024**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

Issue order copy on 21.11.2024.



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To:-

- 1.The Secretary to Government of Tamilnadu,
Home Department, Fort St.George,
Chennai – 600 009.
- 2.The Deputy Inspector General of Prison,
Madurai Range, Madurai – 625 001.
- 3.The Superintendent,
Central Prison,
Palayamkottai – 627 007.
- 4.The Superintendent of Police,
Office of Superintendent of Police,
Tirunelveli – 627 426.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.



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