



WEB COPY



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W.P.(MD)NO.26843 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

W.P.(MD)No.26843 of 2024

Packiyalakshmi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By the Secretary to Government,
Home (Prison-IV) Department,
Secretariat, Fort St. George,
Chennai – 600 009.
2. The Additional Director General of Police(Prisons),
Inspector General of Prisons,
CMDA Tower-II,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.
3. The Deputy Inspector General of Prisons and
Correctional Services, Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai – 625 016.
4. The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant ordinary leave of 40 days to the petitioner's brother



Sankara Narayanan, S/o.Krishnasamy (LCT No.2375), aged 61 years for providing medical treatment to their ailing mother by considering the petitioner's representation dated 26.07.2024.

For Petitioner : Mr.P.Karthick

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

* * *

ORDER

(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2. The petitioner is the sister of the lift convict (Convict Prisoner No.2375). He is undergoing incarceration in Central Prison, Palayamkottai. The petitioner seeks grant of ordinary leave for a period of 40 days.

3. When the matter was taken up for hearing, the learned Additional Public Prosecutor pointed out that the convict was granted ordinary leave from 07.12.2024 to 18.12.2024. The mandatory one year period is yet to expire.



4. We are therefore of the view that it is the Government that has to take a call in the matter. The first respondent is directed to consider the petition for emergency leave dated 26.07.2024 and pass appropriate orders on merits within a period of four weeks from the date of receipt of a copy of this order. This writ petition stands disposed of. No costs.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)
12th November 2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The Secretary to Government,
Home (Prison-IV) Department,
Secretariat, Fort St. George, Chennai – 600 009.
2. The Additional Director General of Police(Prisons),
Inspector General of Prisons,
CMDA Tower-II, No.1, Gandhi Irwin Road,
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AND

R.POORNIMA, J.

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