



W.P(MD) No.26827 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 13.11.2024

CORAM

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

W.P(MD) No.26827 of 2024

Sudalaimuthu

... Petitioner

Vs

The State represented by its,
1.The Deputy Inspector General of Prison,
Madurai Range,
Madurai-625 016.

2.The Superintendent,
Palayamkottai Central Prison,
Tirunelveli-627 002.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to grant ordinary leave for 1 month without escort to the detainee, Mayandi, S/o. Sudalaimuthu aged about 33 years, convict prisoner, bearing Convict No.4777 at Central Prison, Palayamkottai.



W.P(MD) No.26827 of 2024

For Petitioner : Mr.R.Narayanan

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

ORDER

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

Heard both sides.

2. The petitioner is the father of the life convict (No.4777). He is undergoing incarceration in Central Prison, Palayamkottai. It is a case for murder for gain. Hence, Rule 21 of Tamil Nadu Suspension of Sentence Rule, 1982 would come into play. The prisoner is not eligible for grant of ordinary leave. Only if the petitioner shows existence of legal right, the Court can issue a writ of mandamus. Where there is no legal right, writ of mandamus cannot be issued. In this case, there is no legal right.

3. The Writ Petition is dismissed. No costs.

(G.R.S., J.) (R.P., J.)
13.11.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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- 3.The Superintendent of Police,
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- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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