



W.P.(MD).No.27064 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.03.2024

CORAM

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

W.P.(MD).No.27064 of 2023

Baby

.. Petitioner

Vs.

- 1.State of Tamil Nadu,
Represented by,
The Principal Secretary,
Home (Prison) Department,
Fort St.George,
Secretariat, Chennai - 600 009.
- 2.The Additional Director General of Police (Prisons)/,
The Inspector General of Prisons,
CMDA Tower-II,
No.1, Gandhi Irwin Road,
Egmore, Chennai.
- 3.The Superintendent of Prison,
Palayamkottai Central Prison,
Palayamkottai.
- 4.State of Kerala,
Represented by the Principal Secretary,
Home Department,
Government Secretariat,
Government of Kerala,
Thiruvananthapuram,
Kerala - 695 001.



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5. The Director General of Prisons,
Prisons Headquarters,
Poojapura,
Thiruvanthapuram,
Kerala.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, to transfer the petitioner's son by name Sunil @ Arul Xavier from Palayamkottai Central Prison, Tamil Nadu to Thiruvananthapuram Central Prison, Kerala State or any one of the central prison in Kerala State within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani
For R-1 to R-3 : Mr.S.Ravi
Additional Public Prosecutor
For R-4 & R-5 : Mr.S.Anwar Sameem
for Mr.K.Pratap Sudarsan

ORDER

DR.G.JAYACHANDRAN,J.
and
C.KUMARAPPAN,J.

The present Writ Petition is filed for Mandamus seeking transfer of the petitioner's son, who is a life convict, from Palayamkottai Central Prison, Tamil Nadu to Thiruvananthapuram Central Prison, Kerala State.

2. The learned counsel appearing for the respondents 4 and 5 submits that the request of the petitioner, who is the mother of the life convict,



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Sunil @ Arul Xavier for reciprocal transfer of the prisoner from Palayamkottai Central Prison to any prison in Kerala, is under active consideration of the Home Department of the State of Kerala and that necessary action will be taken within a reasonable time.

3. In the light of the said assurance, this Writ Petition is disposed of with a direction to the fourth respondent to expedite the process and pass orders in accordance with law within a reasonable time, preferably, within a period of eight (8) weeks from the date of receipt of a copy of this order. The respondents 1 to 3 shall make appropriate arrangements for the expeditious disposal of the petitioner's representation. There shall be no order as to costs.

(G.J.,J.) (C.K.,J.)
20.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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Egmore, Chennai.
3. The Superintendent of Prison,
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Palayamkottai.
4. The Principal Secretary,
State of Kerala,
Home Department,
Government Secretariat,
Government of Kerala,
Thiruvananthapuram,
Kerala - 695 001.
5. The Director General of Prisons,
Prisons Headquarters,
Poojapura,
Thiruvanthapuram,
Kerala.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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