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W.P.(MD)NO.28835 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

W.P.(MD)No.28835 of 2024 AND

W.M.P.(MD)No.24427 of 2024

Sivakumar

... Petitioner /
Friend of the detenu

Vs.

The State rep. by its,

1. The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai – 600 009.
2. The Deputy Inspector General of Prison,
Trichy Range,
Trichy Central Prison,
Trichy – 620 020.
3. The Superintendent,
Trichy Central Prison,
Trichy – 620 020.
4. The Superintendent of Police,
O/o.the Superintendent of Police,
Thanjavur District – 613 010.

... Respondents

Prayer: Writ petition filed under Article 226 of the
Constitution of India, to issue a Writ of Certiorarified Mandamus, to call



for the records pertaining to the impugned order bearing No.RO-TRY/496/Mu.Vu./2024 dated 04.11.2024 passed by the second respondent and quash the same and consecutively direct the respondents to grant ordinary leave for 40 days without escort to the detenu, Rajesh, S/o.Thaysaiya, aged about 41 years, Life Convict No.16774 detained at Central Prison, Trichy.

For Petitioner : Mr.S.Manoharan

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 seeks grant of ordinary leave of 40 days for one Rajesh, S/o.Thaysaiya(Life Convict No.16774). He is in prison for more than 16 years. The petitioner is not a relative. He claims to be a friend.

3.We are not satisfied with the credentials of the petitioner. It is for the convict to apply for ordinary leave. We are constrained to adopt



this approach because the learned Additional Public Prosecutor informed the Court that the prisoner has not availed any leave for the last 16 years.

It is a case of triple murder. The convict had killed the grand mother, father and step mother. Therefore, this writ petition stands dismissed on the ground that the petitioner lacks the *locus standi*. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)
5th December 2024

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

To:

1. The Secretary to Government of Tamil Nadu,
Department of Home, Fort St. George,
Chennai – 600 009.
2. The Deputy Inspector General of Prison,
Trichy Range, Trichy Central Prison,
Trichy – 620 020.
3. The Superintendent,
Trichy Central Prison, Trichy – 620 020.
4. The Superintendent of Police,
O/o.the Superintendent of Police,
Thanjavur District – 613 010.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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