



WEB COPY



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W.P.(MD)NO.28652 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

W.P.(MD)No.28652 of 2024

Dhanalakshmi

... Petitioner

Vs.

1. The Secretary to Government,
Home Department(Prison),
Government of Tamil Nadu,
Secretariat,
St.George Fort,
Chennai – 9.

2. The Additional Director General of Police(Prisons)/
The Inspector General of Police,
O/o.the ADGP(Prisons)/I.G.of Prisons,
Thalamuthu Natarajar Maaligai,
Egmore, Chennai – 8.

3. The Superintendent of Prison,
Central Prison,
Madurai.

4. The Superintendent of Police,
Ramanathapuram District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant one month ordinary leave without escort to the



petitioner's husband namely Shanmugasekar, S/o.Kaari a life convict prisoner(CP No.5868) now confined at Central Prison, Madurai to attend to his ailing mother for a period of one month by considering the petitioner's representation dated 16.10.2024.

For Petitioner : Mr.S.Srikanth

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 wife of the life convict. The petitioner's husband (Shanmugasekar) is undergoing life sentence at Central Prison, Madurai (Convict Prisoner No.5868) for more than 3 years and 10 months. Ordinary leave is sought.

3. Though this writ petition has been filed in the nature of writ of mandamus, considering the special facts and circumstances of this case, we direct the third respondent to grant 21 days ordinary leave without escort for the petitioner's husband. This writ petition stands allowed in the following terms:-



(a)The convict prisoner, Shanmugasekar, S/o.Kaari[Convict Prisoner No.5868], now detained in the Central Prison, Madurai, is granted ordinary leave for twenty one (21) days from 10.12.2024 to 30.12.2024.

(b) The convict prisoner shall be released from the prison at 5.00 p.m., on 09.12.2024 and he shall return to the prison at 10.00 a.m., on 31.12.2024.

(c) During the said leave period, he shall report before the Inspector of Police, Emaneshwaram police station, Paramakudi Taluk, Ramanathapuram District daily twice at 7.00 a.m., and 7.00 p.m., from 10.12.2024 onwards, without fail.

(d) During the leave period, the convict prisoner shall abide by all the conditions prescribed in the Jail Manual.

7.With the above direction, the Writ Petition stands allowed.

No costs.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)
2nd December 2024

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

PMU

Note : Issue order copy on 04.12.2024.



To:

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1. The Secretary to Government,
Home Department(Prison),
Government of Tamil Nadu,
Secretariat,
St.George Fort,
Chennai – 9.
2. The Additional Director General of Police(Prisons)/
The Inspector General of Police,
O/o.the ADGP(Prisons)/I.G.of Prisons,
Thalamuthu Natarajar Maaligai,
Egmore, Chennai – 8.
3. The Superintendent of Prison,
Central Prison,
Madurai.
4. The Superintendent of Police,
Ramanathapuram District.

Copy to :

The Inspector of Police,
Emaneshwaram police station,
Paramakudi Taluk,
Ramanathapuram District



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AND

R.POORNIMA, J.

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