



W.P(MD) No.29159 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 06.12.2024

CORAM

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

W.P(MD) No.29159 of 2024

A.Archana Devi

... 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,
Office of ADGP (Prisons)/I.G of Prisons,
Thalamuthu Natarajar Maaligai,
Egmore,
Chennai-8.
- 3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli District.



W.P(MD) No.29159 of 2024

4.The Superintendent of Police
Tirunelveli District,
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 one month emergency leave to the petitioner's husband namely Dhilipkumar S/o.late Murugesan a life convict prisoner now confined at Central Prison, Palayamkottai without escort for the purpose of fulfilling his mother's last wish and to sale his ancestral property to mobilise funds for the treatment of his mother.

For Petitioner : Mr.K.Althaf Sheriff

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's husband is undergoing life sentence in Central Prison, Palaymkottai. He has so far spent one year and four months in prison. He is therefore not entitled to ordinary leave. The mother-in-law



W.P(MD) No.29159 of 2024

of the petitioner is said to be having some serious medical ailments. The relevant medical certificate has been enclosed in the typed set of papers.

We are therefore satisfied that the convict can be given emergency leave for 8 days.

3. Accordingly, the convict-prisoner is granted emergency leave for 8 days without escort on the following conditions :-

(a) The convict prisoner, Dhilipkumar now detained in the Central Prison, Palayamkottai, is granted emergency leave for eight (8) days from 12.12.2024 to 19.12.2024.

(b) The convict prisoner shall be released from the prison at 5.00 p.m., on 11.12.2024 and he shall return back to the prison at 10.00 a.m., on 20.12.2024.

(c) During the said leave period, he shall report before the Inspector of Police, Aralvaimozhi Police Station, Kanyakumari District, daily at 07.00 a.m., & 07.00 p.m., from 12.12.2024 onwards, without fail.

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



W.P(MD) No.29159 of 2024

WEB COPY

5. With the above direction, the Writ Petition stands allowed. No costs.

(G.R.S., J.) (R.P., J.)
06.12.2024

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

rmi

NOTE: Issue Order Copy on 09.12.2024



W.P(MD) No.29159 of 2024

WEB COPY

- To
- 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,
Office of ADGP (Prisons)/I.G of Prisons,
Thalamuthu Natarajar Maaligai,
Egmore,
Chennai-8.
 - 3.The Superintendent of Prison,
Central Prison,
Palayamkottai,
Tirunelveli District.
 - 4.The Superintendent of Police
Tirunelveli District,
Tirunelveli.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



W.P(MD) No.29159 of 2024

G.R.SWAMINATHAN, J.
AND
R.POORNIMA, J.

rmi

W.P(MD) No.29159 of 2024

06.12.2024