



W.P(MD) No.29676 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 11.12.2024

CORAM

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

W.P(MD) No.29676 of 2024

Vijayakumari

... Petitioner

Vs

- 1.The State of Tamil Nadu rep. by
The Principal Secretary to Government,
Home (Prison-IV) Department,
State of Tamil Nadu,
Secretariat, St.George Fort,
Chennai-9.
- 2.The Inspector General of Prisons,
C.M.D.A., Towers II,
No.1, Gandhi Irvin Road,
Egmore,
Chennai-8.
- 3.The Deputy Inspector General of Prison,
Office of the Deputy Inspector General of Prison,
Madurai Division,
Madurai Central Prison Campus,
Madurai-16.



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4.The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli District.

... 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 premature release the petitioner's husband Mohanan (Convict No.1056) S/o.Ponmuthan aged about 55 years now confining at Palayamkottai Central Prison, Tirunelveli have completed more than 16 years of actual sentence on the basis of G.O.Ms.No.488 of 2021, dated 15.11.2021 and on the basis of G.O.Ms.No.430 of 2023 dated 11.08.2023 and on the basis of the Advisory Board Scheme Rule 341 (2) of Tamil Nadu Prison Rule, 1983 and G.O.Ms.No.596 of 2023, dated 24.11.2023 by considering the petitioner's representation dated 05.11.2024 in accordance with law within a time stipulated by this Court.

For Petitioner : Mr.R.Prakash

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

ORDER

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

Heard both sides.



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2. The petitioner's husband Mohanan is undergoing life sentence in Palayamkottai Central Prison. He has so far spent 16 years in prison. The petitioner seeks his premature release. The petitioner has given a representation dated 5.11.2021.

3. The first respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of 16 weeks from the date of receipt of a copy of this order. We have not gone into the merits of the matter. The writ petition is disposed of. No costs.

(G.R.S., J.) (R.P., J.)
11.12.2024

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

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Home (Prison-IV) Department,
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Chennai-9.
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 - 4.The Superintendent of Prison,
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Tirunelveli District.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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