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W.P.No.1824 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.1824 of 2025
and W.M.P.No.2074 of 2025

Thangammal

... Petitioner

Vs.

1.The Home Secretary
Home Department (Prison)
Secretariat, Fort St. George
Chennai 600 009

2.The Deputy Inspector General of Prison
Coimbatore Zone
Coimbatore

3.The Superintendent of Prison
Central Prison
Salem

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for records relating to the proceedings of the 3rd respondent dated



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30.12.2024 and quash the same and direct the 3rd respondent to grant 21 days ordinary leave without escort to the petitioner's son Ellango @ Ellangovan (Convict Prisoner No.9806, PID No.222840), who is presently lodged in Central Prison, Salem.

For Petitioner : Mr.P.M.Basil

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

M.S.RAMESH, J.
AND
N.SENTHILKUMAR, J.

This Writ Petition has been filed for issuance of Writ of Certiorarified Mandamus, to call for records relating to the proceedings of the 3rd respondent dated 30.12.2024 and quash the same and direct the 3rd respondent to grant 21 days ordinary leave without escort to the petitioner's son Ellango @ Ellangovan (Convict Prisoner No.9806, PID No.222840), who is presently lodged in Central Prison, Salem.

2. The learned counsel for the petitioner submitted that a representation dated 19.10.2024 was sent to the 3rd respondent seeking



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for a grant of 21 days ordinary leave to her son on the ground that the petitioner who is the mother of the convict prisoner is suffering from a severe intestinal disease (Hernia) and requires medical treatment and surgery and also there are pressing family issues, including the renovation of the ancestral house and partition of ancestral property necessitating her son's presence. The same was rejected by the respondents on the ground the reasons provided in the representation are not true based on the report of the Probation Officer.

3. Learned Additional Public Prosecutor has produced a report of the Probation Officer dated 30.12.2024, which is not in favour of the life convict and the Probation Officer has stated that the reason for which the petitioner seeks for a grant of ordinary leave for her husband, is not genuine.

4. Since the reasons assigned by the Probation Officer in his report for rejecting the petitioner's representation are not acceptable, we are inclined to consider the prayer sought for in this Writ Petition.

5. This Writ Petition stands allowed accordingly. The proceedings



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of the 3rd respondent dated 30.12.2024 is hereby quashed. Consequently, there shall be a direction to the respondents herein, to grant 6 days ordinary leave “*without escort*” to the life convict namely Mr.Ellango @ Ellangovan, S/o.Meivel, aged about 37 years, Life Convict No.9806, commencing from 20.02.2025 to 25.02.2025, with a condition that the life convict shall report before the jurisdictional Police i.e. Edapadi Police Station, Salem District, daily at 10.30 a.m. After expiry of the Ordinary Leave, the life convict shall surrender before the Jail Authority on 26.02.2025 before 10.00 a.m. The prisoner shall utilize the leave only for the purpose for which it has been granted and shall not indulge in any other activities.

6. With the above direction, the Writ Petition stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

[M.S.R, J.]

[N.S, J.]

06.02.2025

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Note: Issue Order Copy on 18.02.2025



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To

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Chennai 600 009

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Coimbatore Zone
Coimbatore

3.The Superintendent of Prison
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3.The Public Prosecutor
High Court of Madras
Chennai



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