



W.P.No.10503 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2025

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.10503 of 2025
and W.M.P.No.11821 of 2025

Senthilvelmurugan

...Petitioner

vs.

1.The Deputy Inspector General of Prisons,
Chennai Range, Prison Head Quarters,
Whannels Road, Egmore,
Chennai – 600 008.

2.The Superintendent of Prisons,
Central Prison-I,
Puzhal, Chennai – 600 066.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records in the Order No.788453/tha.ku.2/2025 dated 10.03.2025 passed by the second respondent and quashing the same and directing the respondents to grant 21 days ordinary leave for the petitioner, namely, Senthilvel Murugan, S/o.Chelladurai aged about 45 years, Convict Prisoner, Convict No.10710, Central Prison, Puzhal.

For Petitioner : Ms.S.Nadhiya



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For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

(Order of the Court was made by *M.S.RAMESH,J.*)

The petitioner's request, seeking for grant of 21 days of ordinary leave, has been rejected through the impugned order dated 10.03.2025 by the 2nd respondent/Superintendent of Prisons, which order is put under challenge in the present Writ Petition.

2. The learned counsel for the petitioner submitted that the authority to consider an application seeking for ordinary leave would be the Deputy Inspector General of Prisons and therefore, the order requires to be set aside on this ground.

3. Under Rule 19 of the Tamil Nadu Suspension of Sentence Rules, the Deputy Inspector General of Prisons is the competent authority to issue order of release of prisoners on ordinary leave, subject to the satisfaction of all conditions in the said Rules. The mode of processing such a petition



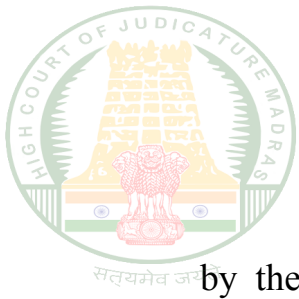
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seeking for ordinary leave is spelt out in Rule 24. As per the said Rule, whenever the Superintendent of Prisons receives a petition for grant of ordinary leave, he shall refer the same to the Probation Officer concerned within three days on the advisability of the ordinary leave of the prisoner in question. After the Probation Officer submits his report by conducting an enquiry, the Superintendent of Prisons shall forward the petition along with the Probation Officer's report within six days to the Deputy Inspector General of Prisons, who in turn shall pass appropriate orders as he deems fit, within seven days from the proposal of the Superintendent of Prisons, on consideration of the reports and records.

4. In the instant case, the Superintendent of Prisons has violated both the procedures contemplated under Rule 24 and has passed the orders without obtaining the Probations Officer's report and the consequential requirement of forwarding the petition to the Deputy Inspector General of Prisons. In view of this procedural lapse, the impugned order cannot be sustained.

5. In the light of the above observations, the impugned order passed



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by the 2nd respondent dated 10.03.2025 is set aside. Consequently, the matter is remanded back to the 2nd respondent/Superintendent of Prisons, who shall re-consider the petitioner's representation in accordance with the procedures and time limit contemplated under Rule 24 of the Tamil Nadu Suspension of Sentence Rules and pass appropriate orders on its own merits and in accordance with law.

6. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[M.S.R, J.] [V.L.N, J.]
20.06.2025

Index:Yes/No
Neutral Citation:Yes/No
Speaking order/Non-speaking order
hvk



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