



W.P.No.11256 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

and

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.11256 of 2025
and W.M.P.No.12701 of 2025

Kottaisamy, (aged 56 years),
S/o.Veerakutti Devar,
Convict Prisoner,
Ct.No.9349, Central Prison,
Puzhal, Chennai – 600 066.

.. 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-1,
Puzhal, Chennai – 600 066.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records in the order dated 05.03.2025 bearing No.795586/tha.ku.2/2025 passed by the 2nd respondent and quashing the same and directing the respondents to grant ordinary leave for 28 days by without escort to the



W.P.No.11256 of 2025

petitioner namely Kottaisamy, S/o.Veerakutti Devar, aged 56 years,
Convict Prisoner, Convict No.9349, Central Prison, Puzhal.

For Petitioner : Ms.S.Nadhiya

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

ORDER

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

This Writ Petition has been filed challenging the impugned order dated 05.03.2025 of the 2nd respondent rejecting the representation of the petitioner seeking grant of ordinary leave to him.

2.The only reason assigned in the impugned order for rejecting the petitioner's request for grant of ordinary leave to him is that he is not eligible for grant of ordinary leave under Rule 21(h)(3) of the Tamil Nadu Suspension of Sentence Rules, 1982.

3.The learned counsel for the petitioner submitted that the petitioner has sought for ordinary leave to repair his house and to make livelihood arrangement for his son and for his family.



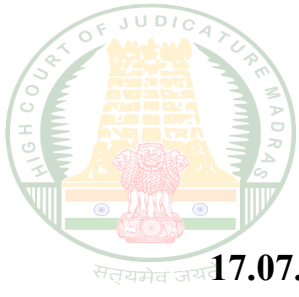
W.P.No.11256 of 2025

WEB COPY

4.The learned Additional Public Prosecutor has produced the particulars of the convict which states that the convict prisoner is not eligible for ordinary leave under Rule 21(h)(3) of the Tamil Nadu Suspension of Sentence Rules, 1982. The learned Additional Public Prosecutor also produced the report of the Probation Officer dated 15.03.2025, in which the Probation Officer has neither rejected nor recommended for grant of ordinary leave to the convict prisoner.

5.By taking into consideration the period of incarceration undergone by the convict prisoner, as well as the reasons assigned in the affidavit filed in support of this petition, we are inclined to grant 15 days of ordinary leave to the petitioner/convict prisoner.

6.Accordingly, the impugned order dated 05.03.2025 bearing No.795586/tha.ku.2/2025 passed by the second respondent, is hereby quashed. Consequently there shall be a direction to the respondents herein, to grant 15 days ordinary leave **“without escort”** to the petitioner/convict prisoner namely Kottaisamy, S/o.Veerakutti Devar, aged 56 years, LT No.9349, PID No.186047, confined at Central Prison-1, Puzhal, Chennai – 600 066, commencing from **03.07.2025 to**



W.P.No.11256 of 2025

WEB COPY

17.07.2025, with a condition that the convict shall report before the jurisdictional Police i.e. **Uthamapalayam Police Station, Theni District, daily at 10.30 A.M.** After expiry of the Ordinary Leave, the convict shall surrender before the Jail Authority on **17.07.2025 before 05.30 P.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.

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

Connected miscellaneous petition is closed. No costs.

(M.S.R., J)

(V.L.N., J)

27.06.2025

krk

Index : Yes / No

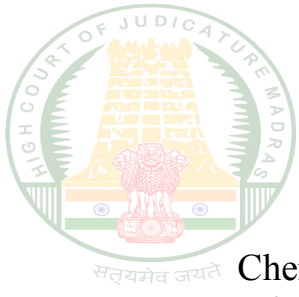
Internet : Yes / No

Neutral Citation : Yes / No

NOTE : Issue order copy on 02.07.2025.

To

1. The Deputy Inspector General of Prisons,



W.P.No.11256 of 2025

WEB COPY

Chennai Range,
Prison Head Quarters, Whannels Road,
Egmore, Chennai – 600 008.

2.The Superintendent of Prisons,
Central Prison-1,
Puzhal, Chennai – 600 066.

3.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

4.The Public Prosecutor,
High Court, Madras.

M.S.RAMESH, J.

and

V.LAKSHMINARAYANAN, J.



WEB COPY



W.P.No.11256 of 2025

krk

W.P.No.11256 of 2025

27.06.2025