



W.P.No.39599 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2025

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.39599 of 2024

Kamatchi
W/o Vivek

.. Petitioner

v.

1. The Deputy Inspector General of Prisons
Gandhi Irwin Road
Egmore, Chennai 600 008

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

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the second respondent to grant emergency leave for 15 days for the petitioner's husband, namely, Vivek, S/o Srinivasan, aged about 36 years, Convict Prisoner, Convict No.10205, Central Prison, Puzhal.

For Petitioner :: Mrs.S.Nadhiya

For Respondents :: Mr.R.Muniyapparaj
Additional Public Prosecutor



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ORDER

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

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The writ of mandamus has been instituted to direct the second respondent to grant emergency leave for 15 days to the husband of the writ petitioner Vivek, S/o Srinivasan, Convict Prisoner No.10205 lodged at the Central Prison, Puzhal, Chennai.

2. The learned counsel appearing on behalf of the petitioner would submit that the mother and mother-in-law of the prisoner are suffering serious ailments and taking treatment. The assistance of the prisoner is required for mobilization of funds and to provide better treatment to them. The Probation Officer, during the course of enquiry, found that the reason stated in the emergency leave application is correct. The Probation Officer has recommended the case of the prisoner for grant of emergency leave. Considering the facts and circumstances, we are inclined to consider the present writ petition and pass the following order:-

- (i) The prisoner, namely, Vivek, S/o Srinivasan, aged about 36 years, bearing Convict No.10205, is granted emergency leave for six days without escort.



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(ii)The leave shall commence from 23.01.2025 10.30 A.M., and the prisoner shall surrender before the second respondent by 5.30 P.M., on 28.01.2025.

(iii)The prisoner shall appear before the J-4 Kotturpuram Police Station at 10.30 A.M. on 25.01.2025 and 27.01.2025 during the period of leave.

The writ petition stands allowed on the above terms. No costs.

Index : yes

Neutral citation : yes/no

(S.M.S.,J.) (M.J.R.,J.)

20.01.2025

SS

To

1. The Deputy Inspector General of Prisons
Gandhi Irwin Road
Egmore, Chennai 600 008
2. The Superintendent of Prisons
Central Prison-I, Puzhal, Chennai 600 066
3. The Inspector of Police
J-4, Kottupuram Police Station
Chennai
4. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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