



W.P.(MD) No.2894 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2025

CORAM:

THE HONOURABLE **DR.JUSTICE G.JAYACHANDRAN**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

W.P.(MD)No.2894 of 2025

Tamilselvi

... Petitioner

-Vs-

1.The Deputy Inspector General,
Prison and Correctional Services Department,
Madurai Range,
Madurai.

2.The Jail Superintendent,
Central Prison,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order vide No.975/..2/2024 dated 04.01.2025 on the file of the 1st respondent and quash the same and consequently, directing the respondents to release her son namely Parthiban on an ordinary leave(parole) for a month in the light of her representation dated 11.12.2024 on the file of the 2nd respondent.



WEB COPY



W.P.(MD) No.2894 of 2025

For Petitioner : Mr.R.Venkateswaran
For Respondents : Mr.A.Thiruvadikumar
Additional Government Pleader

ORDER

DR.G.JAYACHANDRAN, J.

AND

R.POORNIMA, J.

The son of the petitioner Parthiban is a convict in C.C.No.383 of 2021 on the file of the Principal Special Court, for EC and NDPS Act Cases, Madurai, for the past 4 years he is in prison.

2.The petitioner sought for ordinary leave to her son to make necessary arrangements in respect of the family property. The said representation seeking ordinary leave was rejected by the first respondent, the Deputy Inspector General, vide proceedings dated 04.01.2025, citing the fact that the convict under NDPS Act are not entitled for ordinary leave and further more, on the date of application, the convict is not completed minimum two years period to get himself eligible for ordinary leave. Challenging the said order, the present writ petition is filed seeking Certiorarified Mandamus.



W.P.(MD) No.2894 of 2025

3.This Court, on perusing the records, finds that the reasons stated for rejecting the representing seeking ordinary leave for NDPS offence convict is legal and valid. However, the reasons stated by the petitioner has to be considered sympathatically, since the petitioner is a widow, who needs minimum arrangements of the family property to take care of herself and her family members. For the said purpose certain documents are to be executed by the convict and registered as per law. Hence, if any application is made to the Prison Authority under Rule 524 of the Tamil Nadu Prison Manual, the said application to be considered in the manner known to law and the Prison Authority shall permit the Official of the Registration Department to visit the prison and get the document duly registered, as per the Registration Act.

5.With the above observations, this Wrti Petition stands dismissed. No costs.

[G.J., J.] & [R.P., J.]

07.02.2025

NCC : Yes / No

Index : Yes / No

Ns



WEB COPY



W.P.(MD) No.2894 of 2025

DR.G.JAYACHANDRAN, J.

AND

R.POORNIMA, J.

Ns

To

1.The Deputy Inspector General,
Prison and Correctional Services Department,
Madurai Range,
Madurai.

2.The Jail Superintendent,
Central Prison,
Madurai.

W.P.(MD)No.2894 of 2025

07.02.2025