



W.P(MD)No.6923 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.04.2025

CORAM:

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

AND

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

W.P.(MD)No. 6923 of 2025

Pandiyarajan @ Pandiyaraja,
C.P.No.5943,
confined at
Central Prison, Madurai.

... Petitioner

-Vs-

1. The Prison and Correctional Service Department,
DIG Office,
Madurai Range,
Madurai.
2. The Superintendent,
Central Prison,
Madurai - 16.
3. The Inspector of Police,
Theni Police Station,
Theni District.
[in Crime No.918 of 2016]

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a ***Writ of Certiorarified Mandamus***, to call for the records relating to the impugned Order No.226/உத.2/2024, dated 20.02.2025 and quash the same as illegal and

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consequently direct the respondent to grant Ordinary Leave of the petitioner, namely Pandiyarajan @ Pandiyaraja in C.P.No.5943, Central Prison, Madurai.

For Petitioner : M/s.S.Prabha

For Respondents : Mr.S.Ravi,
Additional Public Prosecutor

ORDER

DR.G.JAYACHANDRAN, J.

AND

R.POORNIMA, J.

The petitioner is a life convict. He has suffered imprisonment for more than 5 ½ Years. He sought for 40 days ordinary leave to make arrangements for his daughter's higher education. The said request was rejected by the Prison authority, on the ground that the request for ordinary leave to arrange for daughter's higher education is premature, since the daughter will be completing her course only in the month of April and May, whereas the request was made well in the month of January. That apart, the report of the jurisdictional police that there is threat to the life of the convict at the hands of the victim's family and also for other reasons for rejecting the request.



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2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents. We have also perused the material documents available on record.

3. The Learned counsel appearing for the petitioner states that, since the petitioner's daughter has completed her examination and awaiting result is likely to be released during the last week of April. The first ground for rejection does not survives any further. The second ground of rejection, the Learned Counsel submits that the family of the petitioner is still in the same village living cordially with the family of the victim and therefore the report of the Inspector of Police attached to the jurisdiction limit is not factually correct.

4. The Learned Additional Public Prosecutor appearing for the respondents submits that the petitioner is in prison for the past 5 ½ years and he has not gone on leave either on the medical ground or ordinary leave. The fact that his daughter has completed 12th standard is verified and found correct. Regarding the threat from the victim's family, the information collected is in humanitarian report of the Inspector of Police. However, if the petitioner is ready to file leave with escort the same may be considered.



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5. Considering the facts and circumstances and the Law, this Court is

allowing this Writ petition by quashing the communication, dated 20.02.2025, directing the respondents to provide 21 days ordinary leave to the petitioner with single escort to enable him for arrangement of his daughter's higher studies. The petitioner be released from the Central Prison, Madurai, with single escort on **21.04.2025 at 07.00 a.m.**, and report before the Prison authorities on **12.05.2025 at 05.00 p.m.** The expenses of the single escort shall borne by the life convict.

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

01.04.2025

NCC : Yes / No

Index : Yes / No

KSA

Note :Issue a copy of order on 04.04.2025



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