



W.P.(MD) No.7440 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :19.03.2025

CORAM:

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

AND

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

W.P.(MD)No. 7440 of 2025

Noorjagan

... Petitioner

-Vs-

The State Represented by its,

1. The Secretary to Government of Tamilnadu,
Department of Home,
Fort St. George,
Chennai – 600 009.
2. The Deputy Inspector General of Prison,
Trichy Range,
Trichy – 620 020.
3. The Superintendent,
Central Prison,
Trichy – 620 020.
4. The Superintendent of Police,
Office of Superintendent of Police,
Thiruvavur – 610 004.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a *Writ of Certiorarified Mandamus*, to call for the records pertaining to the Impugned Order bearing No.116/MuVu/2025, dated 23.02.2025, passed by the 2nd

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respondent and quash the same and consecutively direct the respondents to grant ordinary leave for 30 days without escort to the detenue, Haji Mohamed, S/o. Sickandar, aged about 44 years, Convict No. 24147, confined at Central Prison, Trichy.

For Petitioner : Mr.S.Rajeshwaran

For Respondents : Mr.A.Thiruvadikumar
Additional Government Pleader

ORDER

DR.G.JAYACHANDRAN, J.

AND

R.POORNIMA, J.

The representation given by the wife of the life convict for grant of 30-days ordinary leave was duly considered by the authority and rejected vide order, dated 23.02.2025, on the ground that the life convict is not eligible for ordinary leave, since he has not completed three years of imprisonment. The said rejection order is challenged through this *writ of certiorarified mandamus*.

2. The Learned Counsel appearing for the petitioner submits that the petitioner is wife of the life convict suffers serious Gynaecological ailment and therefore as a special case request for ordinary leave to be considered, as it has been considered in view of the other cases cited in the grounds.



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3. The Learned Additional Public Prosecutor states that the medical certificate of the petitioner is not support for grant of ordinary leave to the life convict, since he has to complete three years of imprisonment to get eligible for ordinary leave under Rule 22(i)(c) of Tamilnadu Suspension of sentence Rules, 1982.

4. This Court finds no special reason to consider the case of the petitioner for grant of ordinary leave as prayed, without satisfying the eligibility condition. It is open to the petitioner to reveal the request, after completion of three years of imprisonment or in case if there is any emergency, appropriate representation to be given for emergency leave with adequate supportive documents.

5. With these observations, this Writ petition is disposed of. No Costs.

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

19.03.2025

NCC : Yes / No
Index : Yes / No
KSA



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