



W.P.(MD) No.7359 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :19.03.2025

CORAM:

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

AND

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

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Packiyaraj

... Petitioner

-Vs-

1. The State of Tamil Nadu,
Represented by the Principal Secretary,
Home (Prison) Department,
State of Tamil Nadu,
Secretariat, Fort St.George,
Chennai 600 009.

2. The Director General of Police/the Director General of Prisons
and Correctional Services,
C.M.D.A.Towers II,
No. 1, Gandhi Irvin Road,
Egmore, Chennai 600 008

3. The Superintendent of Prison,
Madurai Central Prison,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a ***Writ of Mandamus***, to direct the respondents to grant emergency parole for the petitioner by name Packiyaraj, Son of Chandran, aged 40 years, convict prisoner No. 1689 for the period of 7 days for taking medical treatment based on the



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petitioner's representation, dated 05.02.2024 in accordance with law, within a time stipulated by this Court.

For Petitioner : Mr.Ezhilarasu, for
Mr.Abdul Rahuman

For Respondents : Mr.A.Thiruvadikumar
Additional Government Pleader

ORDER

DR.G.JAYACHANDRAN, J.

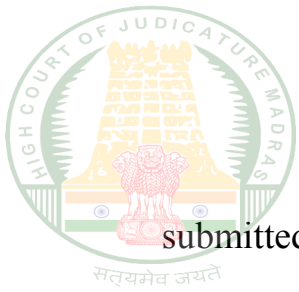
AND

R.POORNIMA, J.

This Writ petition is filed seeking direction to the respondents to grant 7 days emergency medical leave on medical ground, based on the petitioner's representation, dated 05.02.2024.

2. After filing the writ petition, it appears that the Prison authority, vide order, dated 18.03.2024 had dispose of the representation rejecting the plea, based on the medical opinion given by the Prison doctor, but the prisoner is under regular followup and stable inside the prison.

3. The Learned counsel appearing for the petitioner referring the opinion given by the Doctor at Madurai Government Rajaji Hospital on 06.01.2025



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submitted that the Doctor has observed as follows:

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(i) *Disc dehydration noted at all levels.*

(ii) *L3-L4 and L4 – L5 Lumbar lordosis maintained with diffuse disc bulging.*

Therefore, proper treatment in the Hospital is required and the treatment and care at Prison Hospital is not adequate.

4. The records as such indicates that the observation of the Doctor relied on by the petitioner is in the month of January 2025. The opinion of the Prison doctor is, dated 17.03.2025. The order of the Prison authority rejecting the representation of the petitioner is 18.03.2025. If the reasoning of the Prison authority, dated 18.03.2025 by rejecting the representation is not correct, it is open to the petitioner herein to challenge the same, in accordance with law.

5. In view of the above, this Writ Petition stands dismissed. No Costs.

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

19.03.2025

NCC : Yes / No

Index : Yes / No

KSA

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AND
R.POORNIMA, J.

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