



WP CrL.(MD) No.975 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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Shanmugavalli

... Petitioner

-Vs-

1.The Director General of Prison,
Directorate of the Central Prison,
Tamil Nadu Prison,
Veannels Road, Egmore,
Chennai-600 008.

2.The Deputy Inspector General of Prisons,
Madurai Range,
Madurai Central Prison Campus,
Maudrai City-625 016.

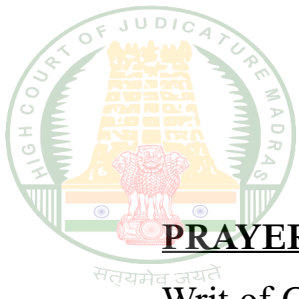
3.The Superintendent of Prison,
Madurai Central Prison,
Madurai City-625 016

4.The Commissioner of Police,
Madurai City.

5.The Inspector of Police,
Keerathurai Police Station,
Madurai City.

... Respondents

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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 passed by the 3rd respondents vide his proceedings in No.258691/thakoo. 2/2025 dated 05.08.2025 and quash the same as illegal and consequently direct the 3rd respondent to grant leave to the petitioner's son Nithyanand, son of Vijayalingam, a convict prisoner in PID No.410040 confined at the Central Prison, Madurai forthwith without escort.

For Petitioner : Mr.J.Vijayaraja
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

Challenge is made to the order dated 05.08.2025 passed in in No. 258691/thakoo.2/2025 by the third respondent rejecting the grant of ordinary leave to the petitioner's son.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



3.The learned Additional Public Prosecutor would fairly concede that there are two representations. One representation dated 04.06.2025 sent by the wife of the convict prisoner viz., Subaitharani and in the impugned order, at reference No.4, it refers to the representation sent by the mother of the convict prisoner viz., Tmt.Shanmugavalli. He would further submit that the Probationary Officer's report was obtained in respect of the representation of the wife of the convict prisoner and he had not considered the representation of the mother of the convict prisoner dated 04.07.202. He would further submit that the convict prisoner is eligible for 21 days ordinary leave.

4.Having gone through the records, we find that the writ petition is filed by the mother of the convict prisoner and the petition is against the rejection of the representation dated 11.07.2025. However, in the rejection order, though there is reference to the representation of the petitioner dated 11.07.2025, there is no answer to the representation. However, it refers only to the earlier representation sent by the wife.

5.In view of the above, the impugned order passed by the third respondent is set aside and the respondents are directed to consider the representation of the petitioner dated 11.07.2025 afresh and pass orders on merits



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and in accordance with law, within a period of two weeks from today.

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6.With the above observation and direction, the Writ Petition stands disposed of. No costs.

[A.D.J.C., J.] & [R.P., J.]
18.08.2025

NCC : Yes / No

Index : Yes / No

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- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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