



W.P(MD)No.15341 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.15341 of 2017

K.R.Raja

Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep. by the Chief Secretary to Government of
Tamilnadu,
Ex-Officio President-In-Chief,
The Tamilnadu Discharged Prisoners' Aid Society,
Secretariat, Fort St. George, Chennai – 600 009.

2. The Home Secretary,
Ex-Officio President,
The Tamilnadu Discharged Prisoners' Aid Society,
Prison Department,
Secretariat, Fort St.George,
Chennai - 600 009.

3. The Additional Director General of Police,
The Inspector General of Police,
Member of Central Committee,
The Tamilnadu Discharged Prisoners' Aid Society,

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CMDA Tower – II, No.1,
Gandhi Irwin Road,
Chennai – 600 008.

Respondent(s)

For Petitioner(s) M/s:

Mr.A.V.Saha
for Mr.R.Alagumani

For Respondent(s) M/s:

Mr.P.Thilak Kumar
Government Pleader for R1 & R2
Mr.T.Senthil Kumar
Additional Public Prosecutor for R3

PRAYER :- To issue a Writ of Declaration to direct the respondents to take stringent action to revamp the Tamil Nadu Discharged Prisoners Aid Society to uphold its objectives by implementing its welfare schemes for the discharged prisoners and also reopen After Care Home in Every district where the Central Prisons are located to accommodate the discharged Prisoners who do not have relatives to receive them after prison term. The admission of Discharged Prisoners to this After Care Home should take place as per the guidelines prescribed under Tamilnadu Prison Rules within the time.

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ORDER

(Order of the Court was made by **S.M.SUBRAMANIAM J.**)

With reference to the relief sought for in the present Public Interest Litigation, the respondents have stated as follows:

“7.it is further submitted that, After Care Home was established vide G.O.No.187 Home Department dated 23.01.1957 at 18 acre of land St.Thomas Mount. Subsequently, the Home was shifted to Puzhal Complex during the year 1983 (the property which belongs to Prison Department). Further it is submitted that, from the year 1991 onwards, no released prisoners had shown interest to be admitted in the After Care Home. For the above reason, a resolution was passed in the presence of Inspector General of Prisons to close the defunct After Care Home on 04.09.2000. Government ordered for the closure of the After Care Home in G.O.No.1043 Home (Pri.III) Department dated 18.10.2001. Hence, the



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contention of the petitioner that chances for increased recidivism and the decision of Prison Department in the Closure of After Care Home at Puzhal, which is not getting adequate lock-up for more than 10 years, is arbitrary, is not correct, just and agreeable in law.

8.It is further submitted that, the After Care Home in the State was closed by the Government and opening of After Care Home in every District is not required, in the current scenario as the released convicts are having sufficient family support / relatives are also willing to take care of them and if any one needs support for his survival, such released prisoners shall be entrusted with reputed N.G.O.'s. It is stated that as the opening of After Care Home involves huge financial implication, and the beneficiaries are less in number, the After Care Home in every District is not necessary at this juncture. Action has been initiated to inform the same facts to the petitioner to his representation dated 02.08.2017. In the



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meantime, the petitioner has sub-judiced the matter by filing this writ petition.”

2. The writ petition has been instituted in the year 2017. Eight years lapsed. During the interregnum period, necessary actions were taken by the Government as well as by the prison authorities to ensure that the discharged prisoners, if made a request, will be admitted in the Government Home or Homes run by NGO's or in an appropriate place. It is needless to state that the prison authorities must enquire about the family admittance of the released prisoners and all necessary steps are to be taken to assist the prisoners for peaceful living after their release from the prison.

3. With these observations, this writ petition stands disposed of.

There shall be no order as to costs.

[S.M.S.,J.] & [A.D.M.C.,J.]
12.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN

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ORDER MADE IN
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