



W.P.Crl.(MD)No.2385 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2025

CORAM:

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

W.P.Crl.(MD)No.2385 of 2025

Sivapathasekaran

... Petitioner

-VS-

1.The Deputy Inspector General of Prison,
O/o. The Deputy Inspector General of Prison
and Correctional Services,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai.

2.The Superintendent of Prison,
O/o.The Superintendent of Prison,
Central Prison,
Madurai

3.The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, directing the respondents to call for the records pertaining to the impugned order in No.4057/Utha. 2/2025 dated 12.11.2025 issued by the respondent No.2 quash the same as illegal and further direct the respondent Nos.1 and 2 to grant the emergency leave for the period of 15 days without escort to petitioner's father who is a convict prisoner namely Chandrasekaran, S/o.Karuppaiah (CP No.8996) who is languishing in Madurai Central Prison by considering the petitioner's representation dated 03.11.2025.

For Petitioner : Mr.SMA.Jinnah

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by G.K. ILANTHIRAIYAN,J.)

This writ petition has been filed challenging the order of the second respondent dated 12.11.2025 thereby rejected the request made by the petitioner seeking 15 days emergency leave for his father, who is a convict prisoner namely Chandirasekaran.



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2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the entire materials available on record.

3.The petitioner's father was convicted in C.C.No.23 of 2012 for the offences under Sections 120-B r/w 409, 420, 467 r/w 471, 477-A of IPC and Section 13(2) r/w 13(1) (c) & (d) of the Prevention of Corruption Act, 1998 and sentenced to undergo 10 years Rigorous Imprisonment and also imposed a fine of Rs.5,000/- by the order dated 17.05.2016. Aggrieved against the said conviction and sentence, the petitioner's father filed an appeal before this Court in Crl.A(MD)No.172 of 2016 and the same was dismissed by this Court on 19.03.2024. From the date of conviction, the petitioner's father is in prison. While being so, the petitioner's mother died on 19.10.2025. For attending the 30th day death rites of his mother, the petitioner submitted a representation seeking 15 emergency leave for his father. The said representation was rejected by the second respondent on 12.11.2025 on the ground that there is no provision for granting emergency leave for the 30th day death rites



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as per the Tamil Nadu Suspension of Sentence Rules, 1982. Challenging the said rejection order, the petitioner has filed the present writ petition.

4. It is seen from the records that the petitioner's mother died on 19.10.2025 and the 30th day expired on 19.11.2025 and now no purpose would be served to challenge the impugned order. Accordingly, this petition is dismissed.

[G.K.I., J.] [R.P., J.]

02.12.2025

am

NCC :Yes/No

Index: Yes/No

Internet: Yes/No



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- 2.The Superintendent of Prison,
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Madurai
- 3.The Superintendent of Police,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.K. ILANTHIRAIYAN,J.
AND
R. POORNIMA,J.

am

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