



WEB COPY

WP CrI. No. 281 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HON'BLE MR JUSTICE P. VELMURUGAN

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

WP CrI. No. 281 of 2026

A.Amutha

W/o. S.Alagesan

..Petitioner(s)

Vs

1. The Secretary to Government

Home (Prison) Department,

Secretariat, Fort St.George,

Chennai - 600 009.

2. The Superintendent of Prison,

Central Prison-I, Puzhal,

Chennai - 600 066.

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying to issuance of Writ of Certiorarified Mandamus, calling for the records relating to the rejection of the petitioner No.C.P.PUI/301/2026-R2 dated 23.01.2026 on the file of the 2nd respondent, quash the same and consequently direct the respondents to grant 10 days ordinary leave to the detenu S. Alagesan from 10.02.2026 to 20.02.2026 in all cases (STC.Nos.114,115,116,117 and 118



of 2016) (Without Escort) to enable him to officiate the Mahashivarathiri Festival at Perunkaranai Village.

For Petitioner(s): Mr. M.Murugesan
For Respondent(s): Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

(Order of the Court was made by P.Velmurugan, J.)

This writ petition has been filed challenging the impugned proceedings dated 23.01.2026 in No.C.P.PU1/301/2026-R2 passed by the second respondent, wherein and whereby the representation seeking grant of 10 days' ordinary/emergency leave to the detenu, S.Alagesan, was rejected, and seeking a consequential direction.

2. The case of the petitioner is that her husband, S.Alagesan, a convict prisoner (Prisoner No.11496 / PID No.709877), presently confined in Central Prison-I, Puzhal, Chennai, having been convicted for the offence under Section 138 of the Negotiable Instruments Act and undergoing a sentence of imprisonment, submitted a representation dated 20.01.2026 seeking grant of 10 days' ordinary/emergency leave to enable him to perform his duties as the Convenor of the Mahashivarathiri Festival at his ancestral Temple situated at Perunkaranai Village. However, the said representation came to be rejected by



the second respondent by proceedings dated 23.01.2026. Aggrieved by the same, the present writ petition has been filed.

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3. The learned Additional Public Prosecutor appearing for the respondents-Police, on instructions, submitted that as per Rules 6 and 13 of the Tamil Nadu Suspension of Sentence Rules, emergency leave is granted only upon submission of an application enclosing a medical certificate issued by a competent Government Doctor certifying that a blood relative of the prisoner is suffering from serious illness and is in a critical condition. In such circumstances, the request for emergency leave is processed based on the report of the concerned Probation officer. It was further submitted that as per the said Rules, emergency leave may be granted in four spells, namely 6 days, 3 days, 3 days and 3 days, aggregating to a total of 15 days. However, there is no provision under the said Rules, enabling the grant of 10 days of emergency leave for the purpose of performing temple worship. Therefore, the request made by the convict prisoner seeking 10 days of emergency leave to perform temple worship could not be considered and accordingly, the second respondent rejected the said representation.

4. Heard the learned counsel on either side and perused the materials available on record.



5. In view of the above submissions and upon perusal of materials placed on record, this Court finds that the request of the convict prisoner seeking 10 days of emergency leave to perform temple worship does not fall within the ambit of the Tamil Nadu Suspension of Sentence Rules. The second respondent has rightly rejected the request for emergency leave in consonance with the said Rules. The impugned order of rejection does not suffer from any perversity, illegality or infirmity warranting interference by this Court. Therefore, this Court finds no merit in the Writ Petition. Accordingly, this Writ Petition (CrI.) stands dismissed.

(P.V.,J.) (M.J.R.,J.)
11-02-2026

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To

1. The Secretary to Government
Home (Prison) Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Superintendent of Prison,
Central Prison-I, Puzhal,
Chennai - 600 066.



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**P.VELMURUGAN, J.
AND
M.JOTHIRAMAN, J.**

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