



WEB COPY

W.P CrI No. 539 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2026

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P CrI No. 539 of 2026

Sandhiya (aged about 50 years)

W/o. Sampath,
No.73/6, Venkateshpuram,
New Colony Main Road,
Kannigapuram, Chennai – 600 066.

.. Petitioner

VS

1.The State of Tamil Nadu

Rep. By its Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.

2.The Director General of Police/

Inspector General of Prisons and Correctional Service,
Whannels Road, Egmore,
Chennai – 600 008.

3.The Superintendent of Prison,

Central Prison, 1, Puzhal,
Chennai – 66.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider the representation dated 16.12.2025 made by the petitioner for premature release of the petitioner's husband namely Sampath, S/o. Panner Selvam, aged about 62 years, PID No.34363, Convict Prisoner confined in Central Prison – 1, Puzhal, Chennai – 600 066 within a reasonable period.



W.P CrI No. 539 of 2026

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For Petitioner : Ms.S.Nadhiya
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John

ORDER

(Made by Dr. ANITA SUMANTH, J.)

This Writ Petition has been filed seeking a direction to the respondents to consider her representation dated 16.12.2025 seeking premature release of petitioner's husband Sampath, S/o. Panner Selvam, aged about 62 years, PID No.34363, Convict Prisoner, confined presently in Central Prison, Puzhal, Chennai.

2. Mr.R.Muniyapparaj, learned Additional Public Prosecutor appearing for the respondents produces a copy of G.O.(D) No.128 Home (Prison-IV) Department, dated 02.02.2026 wherein the request of the convict prisoner for pre-mature release has been rejected.

3. There is yet another facet of the matter. The representation of the petitioner is dated 16.12.2025 and the order of rejection is dated 2.2.2026.

4. We had specifically requested Mr.Muniyapparaj to produce proof of service of the rejection order on the convict as well as the wife / petitioner.



W.P CrI No. 539 of 2026

5. Today an inter-prison email dated 16.02.2026 has been produced before us to show that the rejection order has emanated from the Trichy Prison and has been thereafter sent to Central Prison, Puzhal on 16.02.2026. This does not answer the question as to why it was not served on the convict.

6. Though Mr.Muniyapparaj says that the it might have been supplied to the petitioner or the convict on 16.02.2026, there is no proof for the same. It has admittedly not been served on the petitioner.

7. In such circumstances, there has been a clear breach in duty resulting in the petitioner having to move this Court by way of the present petition instituted on 27.02.2026, as neither the petitioner nor the convict were aware of the rejection of the representation on 02.02.2026.

8. Nothing survives in this matter by virtue of order dated 02.02.2026. However, we grant liberty to the petitioner to challenge order dated 02.02.2026, if she is so inclined. This Writ Petition is closed with cost of Rs.5,000/- to be paid to the petitioner by the respondents, within two (2) weeks from today.

[A.S.M, J.] [S.M, J.]
12.03.2026

Index:Yes/No
Neutral Citation:Yes
sl/ssm



W.P CrI No. 539 of 2026

To

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1. The Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.
2. The Director General of Police/
Inspector General of Prisons and Correctional Service,
Whannels Road, Egmore,
Chennai – 600 008.
3. The Superintendent of Prison,
Central Prison, 1, Puzhal,
Chennai – 66.
4. The Public Prosecutor,
High Court, Madras.



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