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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07-04-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 576 of 2026

Vijayalakshmi
W/o.Moganarangam,
No.4/17, Sivaraj Street,
Manimangalam,
Chennai - 601301.

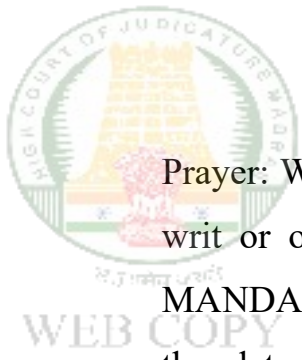
...Petitioner/Wife of the
detenu

Vs

The State represented by its,

1. The Secretary to the Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai-600 009.
2. The Deputy Inspector General of Prison,
Puzhal Range,
Puzhal - 600 066.
3. The Superintendent,
Central Prison,
Puzhal,
Puzhal - 600 066.

..Respondents



Prayer: Writ Petition filed under Section 226 of Constitution of India, to issue a writ or order or orders or direction particularly in the nature of WRIT OF MANDAMUS respondent to grant ordinary leave for 40 days without escort to the detenu, Moganarangam, S/o.Valliyappan aged about 53 years, convict prisoner, bearing PID No.36068, confined at Central Prison Puzhal.

For Petitioner: Mr.M.Ezhilarasu

For Respondents: Mr.R.Muniyapparaj
Additional Public Prosecutor

Assisted by
Mr.M.Sylvester John
Advocate for R1 to R3

ORDER

(Order of the Court was made by SUNDER MOHAN J.)

Aggrieved by the non-consideration of the petitioner's representation, seeking ordinary leave for her husband, the detenu, namely, Mr. Moganarangam, S/o. Valliyappan, who is a convict prisoner confined in Central Prison Puzhal, the petitioner has filed this writ petition.

2. Mr. R. Muniyapparaj, the learned Additional Public Prosecutor, on instructions, submitted that the request of the petitioner was considered favourably and an order was passed on 24.03.2026 and communicated both to the petitioner and the convict prisoner and hence, the writ petition has become infructuous.



3. When we questioned the learned counsel for the petitioner as to why he had not brought to our notice the disposal of the petitioner's representation, the learned counsel, on instructions, submitted that neither the petitioner nor the convict prisoner was informed about the aforesaid order granting leave. Therefore, we directed the learned Additional Public Prosecutor to produce the records relating to the service of the order on the convict prisoner.

4. The learned Additional Public Prosecutor produced a communication dated 02.04.2026 addressed to the Tahsildar since one of the conditions in the order is that the convict prisoner should execute a bond for Rs.500/- (Rupees Five Hundred Only) with two sureties for the like sum to the satisfaction of the Tahsildar. In the said letter, the Tahsildar was requested to verify the bonds to be executed by the sureties on behalf of the convict prisoner. The said communication, though dated 02.04.2026, was sent only on 06.04.2026.

5. Firstly, if the order has been passed on 24.03.2026, there is no reason why the authorities had to wait till 06.04.2026 to communicate that order to the Tahsildar. Secondly, the learned Additional Public Prosecutor was unable to produce any document to show that the order dated 24.03.2026 was communicated immediately either to the convict prisoner or to the petitioner.



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6. We fail to understand as to how the petitioner could produce sureties before the Tahsildar if the order had not been communicated to her. There is a lapse on the part of the respondents, which cannot be countenanced. We have repeatedly held that the orders of rejection or grant of leave should be communicated either to the applicant or to the convict prisoner forthwith. Therefore, we are inclined to impose costs for the laxity shown in the matter and fix it at Rs.5,000/- (Rupees Five Thousand Only), payable to the petitioner by the second and third respondent within two weeks from today.

7. Since the petitioner's representation has now been considered as stated above, this writ petition is closed with the above observations and directions.

(A.S.M.,J.) (S.M.,J.)
07-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

dk



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1. The Secretary,
The Government of Tamil Nadu,
Department of Home,
Fort St.George,
Chennai-600 009.
2. The Public Prosecutor
High Court of Madras.
3. The Deputy Inspector General of Prison,
Puzhal Range,
Puzhal-600 066.
4. The Superintendent,
Central Prison,
Puzhal,
Puzhal-600 066.



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**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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