



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

WEB COPY

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WP CrI. No. 1263 of 2026

Roobavani
W/o.Padmanaban,
No.66, Naduthuru,
Pachayanguppam,
MudhuNagar, Cuddalore.

..Petitioner(s)

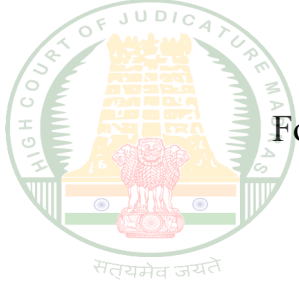
Vs

1. The Deputy Inspector General of prisons,
Whannels Road, Egmore, Chennai - 60 008.
2. The DIG of Prisons,
Vellore Range, Vellore.
3. The Superintendent of prison,
Central Prison, Cuddalore.

..Respondent(s)

PETITION filed under Article 226 of The Constitution of India praying for the issuance of a WRIT OF MANDAMUS directing the respondents to extend 28 days ordinary leave by without escort to the petitioner namely Tamilselvan S/o.Padmanaban aged 44 years, Convict Prisoner, Pid No.15383, confined in Central Prison, Cuddalore, and thus render Justice.

For Petitioner(s): M/s.S.Nadhiya



For Respondent(s): Mr. C.R. Malarvannan. Counsel For
Government Of Tamil Nadu (criminal
Side)

ORDER

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(Order of the Court was made by Dr.Anita Sumanth J.)

The prayer of the petitioner is misconceived. The petitioner's son is a convict in Central Prison, Cuddalore and is stated to be undergoing imprisonment for the last 10 years. He had gone on ordinary leave for 28 days and that expired on 31.05.2026. According to the petitioner, the convict has been diagnosed with kidney disorder and has undergone a surgical procedure on 24.05.2026. However, the medical treatment is not yet complete. Since the leave had expired on 31.05.2026, the convict is required to surrender which he has duly complied with. In these circumstances, the petitioner seeks extension of leave.

2. The question of extension does not arise since the convict has, rightly, surrendered on the expiry of the leave. If at all he requires further leave, it is only to be on a fresh application by the petitioner, which has been made on 29.05.2026.

3. To be noted that the medical condition of the convict is being attended to in the prison hospital and the recommendation of the prison doctor is that he should undergo follow-up treatment at JIPMER Hospital, Puducherry.



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4. In view of the medical condition and the recommendation of the authority, the authorities will consider the request of the petitioner dated 29.05.2026 within 24 hours and take a view in line with the recommendation of the medical officer. The authorities shall also consider reference of the matter to the Government under Rule 40 of the Tamil Nadu Suspension of Sentence Rules, 1982 for grant of appropriate leave considering his medical condition. If the process for obtaining consent under Rule 40 is expected to take a few days, the authorities may consider grant of emergency leave bearing in mind the recommendation of the doctor dated 07.06.2026.

5. This Writ Petition is disposed as above.

(A.S.M.,J.) (S.M.,J.)
08-06-2026

Index: Yes/No

Speaking order

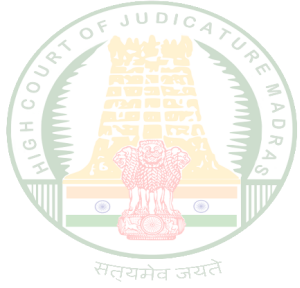
Neutral Citation: Yes

SL

Note: Issue today.

To

1. The Deputy Inspector General of prisons,
Whannels Road, Egmore, Chennai - 60 008.
2. The DIG of Prisons,
Vellore Range, Vellore.
3. The Superintendent of prison,
Central Prison, Cuddalore.
4. The Public Prosecutor, High Court, Madras.



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DR.ANITA SUMANTH J.

AND

SUNDER MOHAN J.

SL

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