



W.P.Crl..(MD).No.1257 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2026

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

AND

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P.Crl.(MD).No.1257 of 2026

S.Megalakumari

..... 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,
Ramanathapuram District.



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4.State of Tamil Nadu,
The Inspector of Police,
Jetty Police Station,
Ramanathapuram District.

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in No.444/Thaku.2/2026 issued by the second respondent ad quash the same as illegal and direct the respondents to grant the emergency leave to the petitioner's husband for the period of 30 days, who is a life convict, namely, Saravanapandian (CP No.3847) by considering the representation dated 21.02.2026.

For Petitioner : Mr.SMA.Jinnah

For Respondents : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

ORDER

[Order of the Court was made by N.ANAND VENKATESH, J.]

This Writ Petition has been filed challenging the impugned proceedings of the second respondent dated 24.02.2026 and for a consequential direction to the respondents to grant emergency leave to the



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husband of the petitioner for a period of thirty days by considering the representation dated 21.02.2026.

2. Heard Mr.SMA.Jinnah, learned counsel, appearing for the petitioner and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor, appearing for the respondents.

3. The petitioner had earlier approached this Court and filed W.P.Crl.(MD).No.1064 of 2026 seeking for a direction to the respondents to extend the emergency leave granted to the petitioner's husband. The said writ petition was disposed of by an order dated 24.02.2026, and the relevant portions are extracted hereunder:

“2. It is the case of the petitioner that her husband was convicted by the IV Additional Sessions Court, Madurai in S.C. No.161 of 2000 and sentenced to undergo life imprisonment for the offence under Section 302 r/w. 34 of IPC on 05.10.2001. Aggrieved over the same, her husband has also filed an appeal before this Court in Crl.A(MD) No.1004 of 2001 and the same was dismissed. The husband of the petitioner is



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languishing in jail for more than four years. While being so, the petitioner who is the wife of the convict submitted representation seeking emergency leave for her husband and the convict was also granted six days emergency leave and it expires today i.e., 24.02.2025. While being so on 20.02.2026 their hut got fired and completely damaged and thereby the original documents of the petitioner as well as their children were lost. Therefore the petitioner submitted another representation dated 21.02.2026 seeking extension of emergency leave for her husband for a further period of thirty days. The petitioner also lodged complaint before the Inspector of Police, Jetty Police Station, Ramanathapuram District dated 21.02.2026 for damage of their hut.

3. Considering the above facts and circumstances of the case the second respondent is directed to consider the representation submitted by the petitioner dated 21.02.2026 seeking extension of emergency leave for her husband by today itself in the light of the observation made in this order."



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4. Pursuant to the above order, the second respondent, through the impugned proceedings dated 24.02.2026, rejected the request made by the petitioner's husband on the ground that the second respondent is not vested with the power to extend the emergency leave under the Tamil Nadu Suspension of Sentence Rules, 1982. Aggrieved by the same, the present writ petition has been filed.

5. This Court has carefully considered the submissions made on either side and the materials available on record.

6. In our considered view, the impugned order passed by the second respondent dated 24.02.2026 does not *per se* suffer from any illegality. The petitioner's husband is entitled for 15 days emergency leave in a year and the same has to be taken in a staggered manner under the Rules. The petitioner's husband has already been granted six days emergency leave and that leaves the petitioner's husband nine more days of emergency leave. At one stretch, the emergency leave can be granted for three days.



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7. The purpose for which the petitioner's husband is seeking for extension is to set right the damages that has been caused due to the fire in the hut that took place on 20.02.2026. The petitioner's husband has not applied for any ordinary leave and therefore, there is no occasion for us to deal with the scope of Rule 20 of the Tamil Nadu Suspension of Sentence Rules 1982.

8. Taking into consideration of the facts and circumstances of the case, we are inclined to modify the order passed by the second respondent and three days emergency leave shall be granted to the petitioner's husband by imposing necessary conditions. If thereafter, the petitioner's husband wants to seek for ordinary leave, a separate representation has to be made, which will be considered on merits and in accordance with the relevant rules.

9. This Writ Petition is disposed of with the above directions.

[N.A.V., J.] & [P.D.B., J.]
02.03.2026

NCC : Yes / No
Index : Yes / No
TSG



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- 4.The Inspector of Police,
Jetty Police Station,
Ramanathapuram District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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