



W.P.CRL..(MD).No.2079 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2026

CORAM

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
AND
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

W.P.Crl.(MD).No.2079 of 2026

Mari Selvi

Vs.

..... Petitioner

- 1.The Principal Secretary,
Home, Prohibition and Excise Department,
Secretariat, St.George Fort,
Chennai – 600 009.
- 2.The Director General of Police/Director General of Prisons
and Correctional Services,
Tamil Nadu Prisons and Correctional Services Department,
Whannels Road, Egmore,
Chennai – 600 008.
3. The Deputy Inspector General of Prisons
and Correctional Services,
Office of the DIG of Prisons,
Madurai Range, Madurai – 625 016.
- 4.The Superintendent of Prison,
Central Prison, Madurai.
- 5.The Superintendent of Prison,
Central Prison, Palayamkottai,
Tirunelveli District.



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6.The Superintendent of Prison,
District Jail, Perurani,
Thoothukudi District.

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records connected with the impugned order passed by the respondent No.4 in No. 5613/Tha.Ku.3/2026, dated 05.02.2026 and set aside the same as illegal, consequently, direct the respondents to take appropriate action to transfer the petitioner's husband by name Nishanth, son of Selvaraj (RP No.5813, PID No.623682) from Madurai Central Prison to Palayamkottai Central Prison or Perurani District Jail, in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.A.Vignesh

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

ORDER

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

This petition has been filed challenging the proceedings of the 4th respondent made in No.5613/Tha.Ku.3/2026, dated 05.02.2026 and for a direction to the respondents to transfer the petitioner's husband from



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Madurai Central Prison to Palayamkottai Central Prison or Perurani District Jail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. It is seen from the records that earlier the petitioner had filed a Writ Petition in W.P.CrI.(MD) No.608 of 2026 for a direction to the respondents to transfer her husband from Madurai Central Prison to Palayamkottai Central Prison based on the representation made on 21.01.2026. This Writ Petition came to be closed by an order dated 06.02.2026 in the following terms:

Pending Writ Petition, the representation of the petitioner was considered and rejected by an order dated 05.02.2026. Further, the husband of the petitioner is also facing trial for offence under Section NDPS Act case before the District Court, Madurai.



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4. The present Writ Petition has been filed challenging the proceedings of the fourth respondent, dated 05.02.2026, wherein the request made by the petitioner has been rejected.

5. On carefully going through the proceedings of the 4th respondent, dated 05.02.2026, it is seen that such transfer of prisoner had taken place pursuant to the directions issued by the Trial Court, where the NDPS case is pending in C.C.No.76 of 2025. In the light of such a direction issued by the Court, the 4th respondent had to necessarily comply with the said direction. This Court, exercising its jurisdiction under Article 226 of Constitution of India, cannot interfere with such a direction issued by the Trial Court and hence, we find that the order passed by the 4th respondent does not suffer from any illegality. The learned counsel for the petitioner submitted that the petitioner's husband was transferred to Central Prison, Madurai only on the ground that the trial must be completed expeditiously. However, one of the accused person is absconding and till date, he was not able to be secured and the petitioner's husband is languishing in the jail for more than 6 months.



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6. The above ground raised by the learned counsel for the petitioner cannot be gone into in this Writ Petition. If the petitioner is aggrieved by the fact that there is no progress in the trial and as a result, the petitioner's husband is languishing in jail, the petitioner has to invoke the appropriate jurisdiction and seek for necessary directions. Except giving this clarity, no further orders can be passed in this Writ Petition.

7. This Writ Petition is disposed of in the above terms. No costs.

[N.A.V., J.] & [K.K.R.K., J.]
15.04.2026

NCC : Yes / No

Index : Yes / No

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Thoothukudi District.
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

N.ANAND VENKATESH, J.



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AND
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