



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.01.2020

CORAM

THE HONOURABLE **MR. JUSTICE A.D.JAGADISH CHANDIRA**

W.P (MD)No.365 of 2020

Dhanalakshmi

... Petitioner

Vs.

1.The Additional Director General of Police (Prison),
Egmore, Chennai.

2.The Superintendent,
Central Prison,
Madurai.

...Respondents

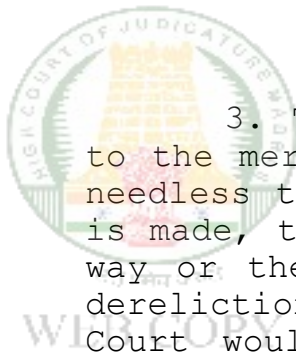
Prayer : This petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first and second respondents to classify the petitioner's husband viz., Dhanasekaran @ Enoor Dhanasekaran/prisoner detained under Goonda Act in TPDA No.6984 of 2019 to classify as Class "A" Prisoner under the second respondent by considering the petitioner's representation dated 12.11.2019, within stipulated time.

For Petitioner	: Mr.T.Sugadev
For Respondents	: Mrs.S.Bharathi
No.1 & 2	Government Advocate (Crl. Side)

ORDER

This Petition has been filed to direct the first and second respondents to classify the petitioner's husband viz., Dhanasekaran @ Enoor Dhanasekaran/prisoner detained under Goonda Act in TPDA No.6984 of 2019 to classify as Class "A" Prisoner under the second respondent by considering the petitioner's representation dated 12.11.2019, within stipulated time.

2.It is the grievance of the petitioner that the petitioner's husband was arrested on 17.10.2019, based on the order of the District Collector, Madurai. The petitioner's husband now detained under Goonda Act in Madurai Central Prison. Stating that the husband of the petitioner is completely eligible for the "A" class prisoner category, the petitioner sent a representation to the respondents on 12.11.2019 and the same has not been considered by the respondents till date and therefore, she has filed the present writ petition.



3. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

4. In view of the limited prayer sought for in this writ petition and without going into the merits of the case, there shall be a direction to the respondents to consider the representation of the petitioner dated 12.11.2019 and pass orders on its own merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5.. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg

To

1.The Additional Director General of Police (Prison),
Egmore, Chennai.

2.The Superintendent,
Central Prison,
Madurai.

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KK/SAR/30.01.2020/2P-3C/