



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 02.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.No.13790 of 2022

M.Saravanan

...Petitioner

Vs

1. The State rep by its,
Home Secretary (Prison),
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Deputy Inspector General of Prison,
Chennai Range, Whannels Road,
Egmore, Chennai - 600 008.
3. The Superintendent of Prison,
Puzhal Central Prison-I
Puzhal - 600 066.

...Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to grant one month leave without escort to the petitioner namely Mr.Saravanan S/o.Munusamy, Life Convict Prisoner, now confined in Puzhal Central Prison-I, in pursuant to the petitioner's son representation dated 10.05.2022.

For Petitioner : Mr.M.Mohamed Saifulla

For Respondents: Mr.A.Damodaran
Additional Public Prosecutor



O R D E R
[Order of the Court was made by M.S.RAMESH, J.]

The petitioner's son had given a representation to the respondents on 10.05.2022, seeking to grant one month leave without escort to the petitioner namely Mr.Saravanan S/o.Munusamy, Life Convict Prisoner, now confined in Puzhal Central Prison-I.

2. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3. In the light of the above observation, there shall be a direction to the respondents herein to consider the representation dated 10.05.2022, made by the petitioner's son on its own merits and pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

4. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

dn/rst

To

1. Home Secretary (Prison),
Secretariat, Fort St.George,
Chennai - 600 009.



2. The Deputy Inspector General of Prison,
Chennai Range, Whannels Road,
Egmore, Chennai - 600 008.

3. The Superintendent of Prison,
Puzhal Central Prison-I
Puzhal - 600 066.

W.P.No.13790 of 2022

RR(CO)
PM/14/06/2022