



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.13889 of 2022

N.Visalakshi

...Petitioner

Vs

The Superintendent of Prison,
Central Prison,
Vellore.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to consider the representation dated 24.05.2022 made by the petitioner and to remove the petitioner's husband namely Nagendran, Son of Ponnusamy, aged about 55 years, Life Convict No.1236, now confined in the Central Prison, Vellore from solitary confinement and admit the petitioner's husband in the Prison Hospital or "A class block" in the Central Prison, Vellore.

For Petitioner : Mr.P.Pugalenth

For Respondent : Mr.R.Muniyappa Raj
Additional Public Prosecutor

O R D E R

[Order of the Court was made by M.S.RAMESH, J.]

The petitioner herein had given a representation to the respondent on 24.05.2022, seeking to shift the petitioner's husband namely Nagendran, Son of Ponnusamy, aged about 55 years, Life Convict No.1236, now confined in the Central Prison, Vellore from solitary confinement to the Prison Hospital or "A class block" in the Central Prison, Vellore.

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 respondent 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 respondent herein to consider the petitioner's representation dated 24.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of six 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/-
Deputy Registrar (CS)

//True copy//

Sub Assistant Registrar

dn/rst

To

1. The Superintendent of Prison,
Central Prison,
Vellore.
2. The Public Prosecutor,
High Court, Madras.

W.P.No.13889 of 2022

AK II(CO)
GMY(22/06/2022)