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W.P.No.748 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2025

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.748 of 2025

A.Dhanalakshmi .. Petitioner

v.

1. The State represented by
The Secretary to Government
Department of Home (Prison)
Fort St.George, Chennai 600 009
2. The Additional Director General of Prison/
Inspector General of Police
Department of Prison
Thalamuthu Building, CMDA Tower-2
Egmore, Chennai 600 008
3. The Director General of Prison
Vellore Zonal Prison Department
Vellore District 632 002
4. The Superintendent of Prison
Central Prison
Cuddalore 607 003 .. Respondents



W.P.No.748 of 2025

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 27.12.2024 and grant ordinary leave for 30 days for the detenu Azhagar @ Valarndha Azhagar, S/o Perumal, aged about 50 years, Convict No.16749, detained at Central Prison, Cuddalore.

For Petitioner :: Mr.Ilayaraja Kandasamy

For Respondents :: Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

(Order of the Court was made by M.JOTHIRAMAN,J.)

The writ petition has been instituted for directing the respondents to consider the representation of the petitioner dated 27.12.2024 and grant ordinary leave for 30 days to the detenu Azhagar @ Valarndha Azhagar, S/o Perumal, aged about 50 years, Convict No.16749, who is confined at Central Prison, Cuddalore.

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



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3. It is needless to point out that whenever a representation of this nature is made to the 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.

4. In view of the above observation, this Court, without going into the merits of the petitioner's representation or the contentions of the petitioner in the affidavit filed in support of this writ petition, directs the respondents to consider the representation of the petitioner dated 27.12.2024, if not already disposed of, and pass appropriate orders on merits and in accordance with law, within a period of one week from the date of receipt of



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a copy of this order and communicate the same to the petitioner. The writ
petition stands disposed of accordingly. No costs.

Index : yes/no
Neutral citation : yes/no

(S.M.S.,J.) (M.J.R.,J.)
09.01.2025

SS

To

1. The Secretary to Government
Department of Home (Prison)
Fort St.George, Chennai 600 009
2. The Additional Director General of Prison/
Inspector General of Police
Department of Prison
Thalamuthu Building, CMDA Tower-2
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4. The Superintendent of Prison
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5. The Public Prosecutor
High Court, Madras



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S.M.SUBRAMANIAM,J.

AND

M.JOTHIRAMAN,J.

SS

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