



W.P.No.1762 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

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K.Anbu@Anbarasan

...Petitioner/ the detenue

Vs.

1.The State Of Tamil Nadu,
Rep. By The Additional Chief Secretary To Government,
Home Prohibition And Excise Department,
Secretariat, Chennai-600 009.

2.The Director General Of Police /
Director General Of Prisons And Correctional Service,
Whannels Road,
Egmore, Chennai-600 008.

3.The Superintendent Of Prison,
Central Prison-1,
Puzhal, Chennai-600 066.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of Writ of Mandamus, directing the respondents
to consider the representation of the petitioner dated 19.11.2024 to



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release the petitioner namely K.Anbu @ Anbarasan, S/o.Krishnan, aged 50 years, Life Convict Prisoner, Ct.No.543, now confined in the Central Prison-1, Puzhal, Chennai-600 066, within a reasonable Period.

For Petitioner : Mr.P.Pugalenth
For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

M.S.RAMESH, J.
and
N.SENTHILKUMAR, J.

The petitioner herein, who is the life convict, has come forward with this Writ Petition seeking for premature release.

2. The petitioner states that he was convicted in S.C.No.253 of 2006 for the offence under Section 376(f) IPC and sentenced to undergo life imprisonment and for the offence under Sections 366(A), 392 r/w Section 397 IPC and was sentenced to undergo 10 years of rigorous imprisonment, for each of the offences. The petitioner further states that the petitioner has undergone more than 18 ½ years of imprisonment and he is eligible for premature release as per the G.O.(Ms).No.430, Home



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(Prison-IV) Department, dated 11.08.2023. Therefore, he made a representation dated 19.11.2024 before the respondents. Since the same has not been considered till date, the petitioner has come forward with this Writ Petition.

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

4. 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.



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5. 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 19.11.2024, seeking for premature release, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

6. With the above direction, this Writ Petition stands disposed of.

No costs.

[M.S.R., J] [N.S., J]

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Index: Yes/No

Speaking/Non-speaking order

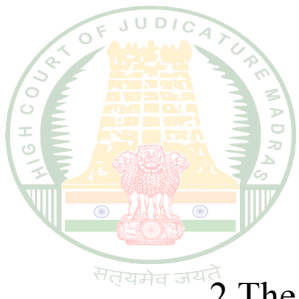
Internet: Yes/No

Neutral Citation: Yes/No

Anu

To

1. The Additional Chief Secretary To Government,
Home Prohibition And Excise Department,
Secretariat, Chennai-600 009.



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2.The Director General Of Police /
Director General Of Prisons And Correctional Service,
Whannels Road,
Egmore, Chennai-600 008.

3.The Superintendent Of Prison,
Central Prison-1,
Puzhal, Chennai-600 066.

4.The Public Prosecutor,
High Court, Madras.



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and
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Anu

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