



W.P.No.725 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-09-2025

CORAM:

THE HONOURABLE MRS. JUSTICE **J. NISHA BANU**
AND
THE HONOURABLE MR. JUSTICE **S. SOUNTHAR**

Writ Petition (Crl.) No.725 of 2025

R. Indira

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. By its Secretary to Government,
Home (Prison IV) Department,
Fort St.George, Chennai – 9.
2. The Director General of Prison and
Inspector General of Prison,
Whannels Road, Egmore, Chennai- 600 008.
3. The Superintendent of Prison,
Central Prison at Vellore,
Ramset Nagar, Thorapadi, Vellore – 2.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondents to grant leave for 30 days without escort to the petitioner's husband namely, Rajini @ Parthiban, son of Rathinam, aged 45 years, Life Convict No.4329, detained at Central Prison, Vellore.



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For Petitioner : Mr.S.Rajeshkumar
for Mr.M.Mohamed Saifulla

Respondents : Mr.D.Damodaran
Additional Public Prosecutor

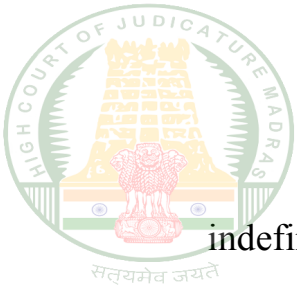
ORDER

*(Order of the Court was made by **J. NISHA BANU, J.**)*

The present Writ Petition has been filed for the issuance of a Writ of Mandamus directing the respondents to grant leave for 30 days without escort to the petitioner's husband namely, Rajini @ Parthiban, son of Rathinam, aged 45 years, Life Convict No.4329, detained at Central Prison, Vellore.

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

3. 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



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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.

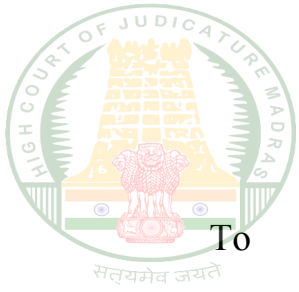
4. In view of the above observation, this Court, without going into the merits of the petitioner's representation or the contentions of the affidavit filed in support of this Writ Petition, directs the respondents to consider the representation of the petitioner dated 04.07.2025, seeking for grant of 30 days ordinary leave to the convict prisoner, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of one (1) week from today and communicate the same to the petitioner.

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

(J.NISHA BANU, J.) (S. SOUNTHAR, J.)
01-09-2025

ASI

Note: Issue order copy today (01.09.2025)



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To

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1. The Secretary to Government,
Home (Prison IV) Department,
Fort St.George, Chennai – 9.
2. The Director General of Prison and
Inspector General of Prison,
Whannels Road, Egmore, Chennai - 600 008.
3. The Superintendent of Prison,
Central Prison at Vellore,
Ramset Nagar, Thorapadi, Vellore – 2.
4. The Public Prosecutor,
High Court of Madras, Chennai.



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and
S. SOUNTHAR, J.

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