



W.P.No.863 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.863 of 2025

Tmt. Padmavathi

... Petitioner

Vs.

1. The Chief Secretary
Secretariat, Union Territory Of Puducherry,
Puducherry
2. The Director General Of Police
Puducherry
3. The Inspector General Of Prison
Central Prison, Kalapattu,
Puducherry - 605 014
4. The Chief Superintendent Of Jails
Government Of Puducherry,
Jail Department, Puducherry
5. The Superintendent Of Prison,
Central Prison, Kalapattu,
Puducherry - 605 014
6. The Inspector Of Police
Odiansalai Police Station,
Puducherry

... Respondents



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WEB COURT

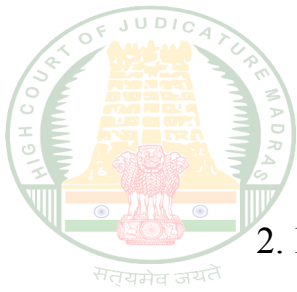
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the respondents to grant emergency leave for a period of 15 days to the petitioner's husband Mani at Manikandan (male/ 43 years) (Prisoner No.4954) who is confined in Central Jail , Yanam based upon the application of the petitioner dated 19.12.2024 for surgery of the petitioner's minor son Adithya Varma (aged 3 years) who is critically suffering from fits and paralysis to take treatment for his ailment to visit his new born female child and to make financial arrangements for renovation of petitioner's house which is in dilapidated condition.

For Petitioner : Mr. M.P.Rajavelayutham
For Respondents : Mr.K.S.Mohandoss
Public Prosecutor (Puducherry)

ORDER

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

The Writ Petition has been instituted for directing the respondents to grant emergency leave for a period of 15 days to the petitioner's husband Mani at Manikandan (male/ 43 years) (Prisoner No.4954) who is confined in Central Jail , Yanam based upon the application of the petitioner dated 19.12.2024.



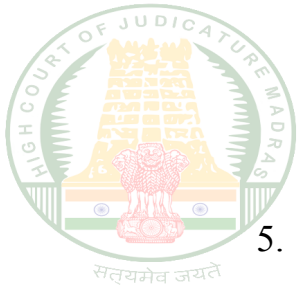
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2. Heard the learned counsel for the petitioner and the learned Additional

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 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 19.12.2024, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.



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5. With the above direction, this Writ Petition stands disposed of. No

costs.

[S.M.S., J.]

[M.J.R., J.]

10.01.2025

Index: Yes/No

Speaking/Non-speaking order

mrp

To

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S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

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