



W.P.No.1847 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

W.P.No.1847 of 2025
and W.M.P.No.2123 of 2025

Janet Beula

...Petitioner/wife of the detenue

Vs.

The State rep. by its

1.The Secretary to Government of Tamilnadu,
Home (Prison-IV) Department,
Fort St. George,
Chennai-600 009

2.The Superintendent,
Central Prison,
Puzhal-1, 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 dated 29.02.2024 and consecutively release the detenue, Robbin @ Robinson S/o.Samuel Johan, life convict No.4102 prematurely, confined at Central Prison, Puzhal-1, as per the G.O. in G.O.(Ms).No.430, dated 11.08.2023.



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For Petitioner : Ms.K.Akshaya
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 wife of 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.170 of 2001 for the offence under Sections 302, 302 r/w Sections 149, 427, 148, 324 IPC and sentenced to undergo life imprisonment. The petitioner further states that the husband of the petitioner has been in prison for the past 16 years and he is eligible for premature release as per the G.O.(Ms).No.430, Home (Prison-IV) Department, dated 11.08.2023. Therefore, she made a representation dated 29.02.2024 before the respondents. Since the same has not been considered till date, the petitioner has come forward with this Writ Petition.



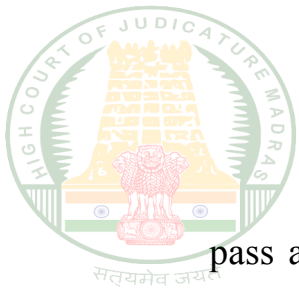
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3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

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.

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 29.02.2024, seeking for premature release, if not already disposed of and



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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. Consequently, connected miscellaneous petition is closed.

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

21.02.2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No
Anu

To

1.The Secretary to Government of Tamilnadu,
Home (Prison-IV) Department,
Fort St. George,
Chennai-600 009

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

3.The Public Prosecutor,
High Court, Madras.



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