



W.P.No.2267 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.2267 of 2025
and W.M.P.No.2608 of 2025

Dhanalakshmi

...Petitioner/sister of the detenue

Vs.

1. The State Represented By Its
The Secretary To Government Of Tamil Nadu,
Home Department,
Fort. St George, Chennai 600 009

2.The Deputy Inspector Of General Of Prison
Coimbatore Zone, Coimbatore

3.The Superintendent
Coimbatore Central Prison,
Coimbatore

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st respondent to consider the representation dated 25.11.2024 and consecutively release the life convict prisoner, detenue, Suresh @ Dhanasekar, S/o Suntharam, aged about 41 years old, Convict Prisoner, Convict No.18199 at Central prison Coimbatore.



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For Petitioner : Mr.M.Ezhilarasu
For Respondents : 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 sister 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.66 of 2011 for the offence under Sections 451, 392, 302 and 201 IPC and sentenced to undergo life imprisonment. The petitioner further states that the brother of the petitioner has completed 14 years of imprisonment 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 25.11.2024 before the respondents. Since the same has not been considered till date, the petitioner has come forward with this Writ Petition.



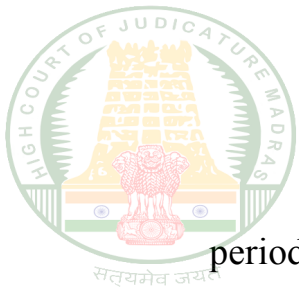
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3. Heard the learned counsel for the petitioner and the learned

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 25.11.2024, seeking for premature release, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a



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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 Tamil Nadu,
Home Department,
Fort. St George, Chennai 600 009

2.The Deputy Inspector Of General Of Prison
Coimbatore Zone, Coimbatore

3.The Superintendent
Coimbatore Central Prison,
Coimbatore

4.The Public Prosecutor,
High Court, Madras.



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