



W.P.No.4772 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM :

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

W.P.No.4772 of 2025

Shanmugapriya

... Petitioner

Vs.

1.The Home Secretary,
Home Department,
Secretariat, Fort St.George,
Chennai – 600 009.

2.The Director General of Prison,
Inspector General of Prisons,
Whanells Road, Egmore,
Chennai District – 600 008.

3.The Superintendent of Prison,
Coimbatore Central Prison,
Coimbatore – 641 018.

4.The Inspector of Police,
Mulanur Police Station,
Tirupur District – 638 106.

... 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 provide the prisoner benefits to the detenu Gobu, S/o.Govindaraj.



WEB COPY



W.P.No.4772 of 2025

For Petitioner : Mr.R.C.Paul Kanagaraj
For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

(Order of the Court was made by *M.S.RAMESH, J.*)

The petitioner has given a representation dated 31.01.2025 to the third respondent, requesting to provide prisoner's benefits to her brother/detenu. Since the said representation has not been considered till date, the present Writ Petition has been filed.

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 an Authority, there is a duty cast upon them 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 Authority would amount to dereliction of duty



W.P.No.4772 of 2025

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 31.01.2025, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of two (2) weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

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

[M.S.R, J.]

[N.S, J.]

14.02.2025

Index: Yes/No

Speaking order/Non-speaking order

Sni



WEB COPY



W.P.No.4772 of 2025

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

Sni

To

- 1.The Home Secretary,
Home Department,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.The Director General of Prison,
Inspector General of Prisons,
Whanells Road, Egmore,
Chennai District – 600 008.
- 3.The Superintendent of Prison,
Coimbatore Central Prison,
Coimbatore – 641 018.
- 4.The Inspector of Police,
Mulanur Police Station,
Tirupur District – 638 106.
- 5.The Public Prosecutor,
High Court, Madras.

W.P.No.4772 of 2025

14.02.2025