



W.P.No.6734 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM :

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

W.P.No.6734 of 2025

M.Nadhiya

...Petitioner/ the daughter of the detenue

Vs.

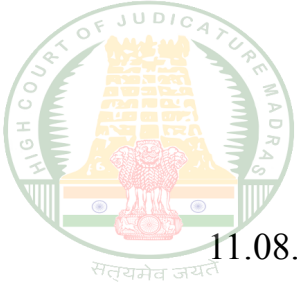
1. The Secretary To Government
Home Department, Fort St George,
Chennai 600 009.

2.The Director Of Prison
Prison And Rehabilitation Works,
Egmore, Chennai 600 008.

3.The Superintendent
Central Prison Vellore,
Thorapadi Vellore 632 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 16.12.2024 and grant premature release to the petitioner's father the detenue Thirupathurn alias Muniyappan, son of Perumal, aged about 70 years, convict no. 35285, detained in Central Prison vellore as per the G.O (Ms No. 430/2023 dated



W.P.No.6734 of 2025

11.08.2023.

WEB COPY

For Petitioner : Mr.B.Sundarapandiiyan

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

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

This Writ Petition has been filed to direct the respondents to consider the petitioner's representation dated 16.12.2024 and grant premature release to the petitioner's father the detenue Thirupathurn alias Muniyappan, son of Perumal, aged about 70 years, convict no. 35285, detained in Central Prison, Vellore as per the G.O (Ms No. 430/2023 dated 11.08.2023.

2. The petitioner states that her father was convicted for the offence under Section 302 IPC and sentenced to undergo imprisonment for life for 4 counts and fine of Rs.1,000/- for each count in default to under to R.I for 3 years for each count, by the learned Principal Sessions Judge, Dharmapuri in S.C.No.49 of 2009. It is further stated that the petitioner



W.P.No.6734 of 2025

has undergone 15 years of actual imprisonment. Therefore, the petitioner herein made a representation dated 16.12.2024 before the respondents seeking for premature release as per the G.O.No.448, Home (Prison-IV) A Department as amended in G.O.(Ms).No.508, (Prison-IV)A Department, dated 18.11.2021 and G.O.No.430, dated 11.08.2023. Since the same has not been considered till date, the petitioner has come forward with this Writ Petition.

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.



W.P.No.6734 of 2025

WEB COPY

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 16.12.2024 before the respondents seeking for premature release, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of three (3) months 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.

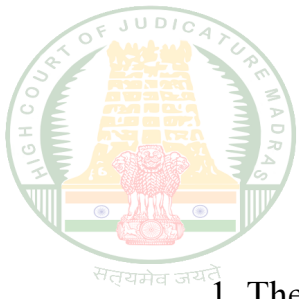
[M.S.R., J] [N.S., J]

19.03.2025

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

To

Page 4 of 6



W.P.No.6734 of 2025

1. The Secretary To Government
Home Department, Fort St George,
Chennai 600 009.

2. The Director Of Prison
Prison And Rehabilitation Works,
Egmore, Chennai 600 008.

3. The Superintendent
Central Prison Vellore,
Thorapadi Vellore 632 002.

4. The Public Prosecutor,
High Court, Madras.



WEB COPY



W.P.No.6734 of 2025

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

Anu

W.P.No.6734 of 2025

19.03.2025