



W.P.No.12654 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.12654 of 2025

Dr.Thaaadi Venkata Suri Apparao

... Petitioner

Vs.

1.The State Represented by its
Secretary to Government, Tamil Nadu
Home (Prison-IV) Department
Fort St. George
Chennai 600 009

2.The Addl. Director General of Prisons
Addl. Director General of Prisons CMDA Tower (II)
No.1, Gandhi Irwin Road, Egmore
Chennai 600 008

3.The Superintendent of Prisons
Central Prison - I
Puzhal, Chennai 600 066

4.The State of Andhra Pradesh
Represented by Home Secretary
Secretariate, Andhra Pradesh



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5.The Addl. Director General of Prisons
Inspector General of Police, State of Andhra Pradesh
Andhra Pradesh

6.The Superintendent of Prisons
Central Prison
Vishakapatnam
Andhrapadesh 530040

... 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 take steps to transfer the petitioner / detenu, Dr.Thaaadi Venkata Suri Apparao, S/o.Mr.Thaaadi Nookkana, aged about 43 years, Convict Prisoner, Convict No.10443, Central Prison-1, Puzhal, Chennai 600 066 from 3rd respondent, Central Prison to the 6th respondent, Central Prison by considering the petitioner's representation dated 15.01.2025.

For Petitioner	: Mr.N.Vishuvardhan
For Respondent	: Mr.R.Muniyapparaj Additional Public Prosecutor assisted by Mr.M.Sylvester John

ORDER

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

This petition is filed for the issuance of Writ of Mandamus, to

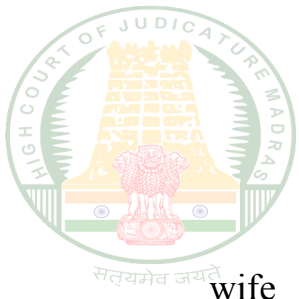


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direct the respondents to take steps to transfer the petitioner / detenu, Dr.Thaaadi Venkata Suri Apparao, S/o.Mr.Thaaadi Nookkana, aged about 43 years, Convict Prisoner, Convict No.10443, Central Prison-1, Puzhal, Chennai 600 066 from 3rd respondent, Central Prison to the 6th respondent, Central Prison by considering the petitioner's representation dated 15.01.2025.

2. The petitioner was incarcerated at Central Prison - 1, Puzhal, Chennai from 02.09.2023 after getting convicted for the offence U/s.498(A) and Section 306 IPC and sentenced to undergo R.I. for 10 years by the Mahalier Needhimandram, Egmore, Chennai in S.C.No.523 of 2010. An appeal was preferred in 748 of 2012 before this Court, which was dismissed. The petitioner's permanent residence is in Andhra Pradesh. During the petitioner's settlement in Chennai with his family, FIR was registered in Crime No.248 of 2010 and his conviction was confirmed and he was sentenced to undergo imprisonment at 3rd respondent Prison on 14.09.2012. Since the petitioner hails from Andhra Pradesh, it is very hard for the petitioner to meet his aged mother, second



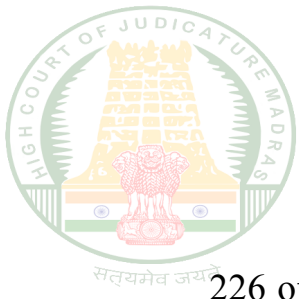
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wife and the child only because he is 3rd respondent prison. The petitioner's mother is a senior citizen with a bad health and getting deteriorated by the day and it is not possible for her to travel from Vishakapatnam to Chennai. Hence, the petitioner has made a representation dated 15.01.2025 to the prison authorities, seeking for a transfer from the 3rd respondent prison to the 6th respondent prison, since the same was not considered till date, the petitioner has preferred the above 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



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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 15.01.2025, seeking for transfer from 3rd respondent prison to 6th respondent prison, if not already disposed of and 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.

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

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To

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7.The Public Prosecutor
High Court of Madras
Chennai 600 104

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