



W.P.No.11878 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2025

CORAM:

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

Writ Petition No.11878 of 2025

Jaya
W/o.Subbaiyya Pillai

... Petitioner/
Mother-in-law of the convict

Vs.

1. The Director General of Prison,
Tamil Nadu Prison Department,
Egmore, Chennai.

2. The Superintendent,
Central Prison, Madurai.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the respondents to grant ordinary leave for 60 days without escort to the convict namely, Ayyampillai aged about 55 years, Convict Prisoner at Central Prison, Madurai.



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W.P.No.11878 of 2025

For Petitioner : Mr.M.Dinesh

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor
Assisted by Mr.M.Sylvester John

ORDER

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

The present Writ Petition is filed for the issuance of a Writ of Mandamus, to direct the respondents to grant ordinary leave for 60 days without escort to the convict namely, Ayyampillai aged about 55 years, who is confined at Central Prison, Madurai.

2. The learned counsel for the petitioner submits that the petitioner is the mother-in-law of the convict prisoner namely, Ayyampillai, aged about 55 years, who is confined at Central Prison, Madurai and ordinary leave has been sought so as to enable the convict to attend the marriage of his son viz., A.Karthik, which is scheduled to be held on 04.04.2025. He further submits that the representation dated 17.03.2025 made by the petitioner in this regard has not yet been considered. Hence, the present Writ Petition is filed for grant of ordinary leave.



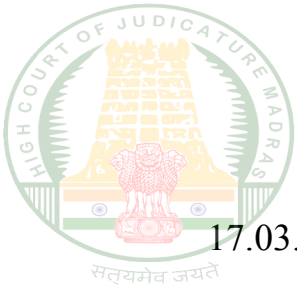
W.P.No.11878 of 2025

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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



W.P.No.11878 of 2025

17.03.2025 before the respondents seeking for ordinary leave of the convict prisoner and pass appropriate orders on merits and in accordance with law, within a period of 10 days from today 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.)
03.04.2025

ASI

Note: Issue order copy on or before 07.04.2025.

To

1. The Director General of Prison,
Tamil Nadu Prison Department,
Egmore, Chennai.
2. The Superintendent,
Central Prison, Madurai.



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W.P.No.11878 of 2025

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

ASI

Writ Petition No.11878 of 2025

03.04.2025