



W.P.No.13055 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

and

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.13055 of 2025

Porkilai @ Selvi

.. Petitioner

Vs.

- 1.The Inspector General of Prison,
Central Prison, Kalapet,
Puducherry - 605 014.
- 2.The Chief Superintendent of Jails,
Government of Puducherry,
Jail Department, Puducherry.
- 3.The Superintendent of Prison,
Central Prison, Kalapet,
Puducherry - 605 014.
- 4.The Inspector of Police,
Odiansalai Police Station,
Puducherry.
- 5.The in-charge Additional Superintendent of Police,
Sub-jail, Yaanam (AP),
Puducherry (UT).

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India



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praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 10.03.2025 and to grant 30 days ordinary leave to her son Perumal Raja @ Perumal, S/o. Krishnamoorthy within the time framed by this Court.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents : Mr.M.V.Ramachandramoorthi
Additional Public Prosecutor (Pondy)

ORDER

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

The petitioner has given a representation dated 10.03.2025 to the respondents 1 to 3 herein, requesting for grant of 30 days ordinary leave to her son, namely Perumal Raja @ Perumal, S/o.Krishnamoorthy, who is a Convict Prisoner confined in Sub Jail, Yaanam. 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 (Pondy) appearing for the respondents.

3.It is needless to point out that whenever a representation of this



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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 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 herein to consider the representation of the petitioner dated 10.03.2025, 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.



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(M.S.R., J)

(V.L.N., J)

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

To

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- 5.The in-charge Additional Superintendent of Police,
Sub-jail, Yaanam (AP), Puducherry (UT).
- 6.The Public Prosecutor,
High Court, Madras.

M.S.RAMESH, J.

and

V.LAKSHMINARAYANAN, J.



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