



W.P.No.19627 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

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G.Punniyavathi

...Petitioner/ mother of the detenue

Vs.

1. The State Of Tamil Nadu
Rep. By The Secretary To Government,
Home (prison - Iv) Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Director General Of Prisons And Correctional Services
Egmore, Chennai- 08.

3.The Deputy Inspector General Of Prisons And Correctional
Services,
Coimbatore Central Prison Campus,
New Jail Road, Coimbatore- 641 018.

4.The Superintendent Of Prison
Central Prison, Coimbatore.

... 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



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to release the petitioner's son by name Gobu, L.C.T. NO.15219 aged 40 years, son of Late. Govindaraj confining at Coimbatore, central Prison as per the G.O. (Ms) No.488 dated 15.11.2021 issued by the 1st respondent.

For Petitioner : Mr.S.Arivazhagan
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

M.S.RAMESH, J.
and
V. LAKSHMINARAYANAN, J.

This Writ Petition has been filed to direct the respondents to release the petitioner's son by name Gobu, L.C.T. NO.15219, aged 40 years, son of Late Govindaraj, confined at Central Prison, Coimbatore as per the G.O. (Ms) No.488 dated 15.11.2021 issued by the 1st respondent.

2. The petitioner states that her son was convicted for the offence under Sections 302 IPC r/w Section 120(b) IPC and sentenced to undergo imprisonment for life by the learned Additional Sessions Judge, Fast Track Court No.III, Dharapuram in S.C.No.28 of 2009 dated 30.11.2011.

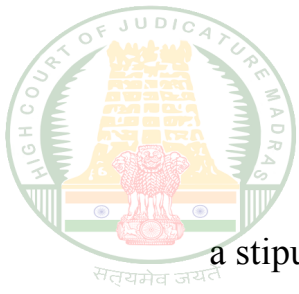


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It is further stated that life convict prisoners shall be considered for premature release if they have completed 10 years of imprisonment as on 15.09.2021, as per G.O.(Ms).No.488, Home (Prison-IV) Department, dated 15.11.2021. Since the petitioner's son has completed 10 years of imprisonment, she made a representation dated 15.04.2025 before the respondents seeking for premature release of the convict prisoner. 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



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a stipulated time.

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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 15.04.2025 before the respondents seeking for premature release of the convict prisoner, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of eight (8) 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] [V.L.N., J]

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Anu



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Home (prison - Iv) Department,
Secretariat, Fort St. George,
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2.The Director General Of Prisons And Correctional Services
Egmore, Chennai- 08.

3.The Deputy Inspector General Of Prisons And Correctional
Services,
Coimbatore Central Prison Campus,
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5.The Public Prosecutor,
High Court, Madras.



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