



W.P.No.17335 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

and

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.17335 of 2025

and

W.M.P.No.19648 of 2025

Nagaraj, (aged 65 years),
S/o. Cariyappa,
Life Convict Prisoner No.14980,
Central Prison, Vellore – 2.

.. Petitioner

Vs.

1.The State of Tamil Nadu,
rep. by the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai – 600 009.

2.The Director General of Prisons,
Prison and Correctional Service,
Whannels Road,
Egmore,
Chennai – 600 008.

3.The Superintendent of Prison,
Central Prison,
Vellore – 632 002.

.. Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent No.1 to consider the representation of the petitioner dated 08.01.2025 and directing the respondents to release the petitioner namely Nagaraj, S/o.Cariyappa, aged about 65 years, Life Convict, Ct.No.14980, now confined in Central Prison, Vellore-2, immediately under the scheme premature release of life convicts.

For Petitioner : Mr.P.Pugalenth
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

The petitioner, namely, Nagaraj, aged about 65 years, S/o.Cariyappa, Life Convict Prisoner No.14980, presently confined at Central Prison, Vellore, has given a representation dated 08.01.2025 to the respondents 1 & 3 herein, requesting for his premature release. 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 appearing for the respondents.



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3.It is needless to point out that whenever a representation of this 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 08.01.2025, 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.



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5. With the above direction, this Writ Petition stands disposed of.

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Consequently, the connected Miscellaneous Petition is closed. No costs.

(M.S.R., J)

(V.L.N., J)

11.07.2025

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

1. The State of Tamil Nadu,
rep. by the Additional Chief Secretary to Government,
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Secretariat,
Chennai – 600 009.
2. The Director General of Prisons,
Prison and Correctional Service,
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3. The Superintendent of Prison,
Central Prison,
Vellore – 632 002.
4. The Public Prosecutor,
High Court, Madras.



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and

V.LAKSHMINARAYANAN, J.

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