



W.P.No.18861 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.18861 of 2025

Rama

.. Petitioner

Vs.

1.The Principal Secretary to Government,
Home (Prison) Department,
Tamil Nadu Government Secretariat,
St. George Fort,
Chennai – 600 009.

2.The Addl. D.G.P. / I.G. of Prisons,
CMDA Towers II,
No.-1, Gandhi Irwin Road,
Egmore,
Chennai – 600 008.

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

4.The Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai.

.. 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 respondents to extend the detenue emergency parole prior by another 60 days from 29.05.2025 to enable him to undergo treatment and also for further follow of treatment.

For Petitioner : Mr.S.Senthilvel

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

The petitioner has given a representation dated 15.05.2025 to the respondents 2 & 3 herein, requesting for extension of 60 days emergency leave to her husband, namely Kasi @ Kasi Viswanathan, S/o.Venkatachalam, aged about 68 years, Convict No.2435 who is a convict prisoner confined in Central Prison-I, Puzhal, Chennai. Since the said representation has not been considered till date, the present Writ Petition has been filed.



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2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

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 15.05.2025, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of one (1) week 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.

No costs.

(M.S.R., J)

(V.L.N., J)

13.06.2025

krk

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

To

1. The Principal Secretary to Government,
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Tamil Nadu Government Secretariat,
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2. The Addl. D.G.P. / I.G. of Prisons,
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3. The Superintendent of Prison,
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4. The Inspector of Police,
R-7, K.K.Nagar Police Station, Chennai.
5. The Public Prosecutor,
High Court, Madras.

M.S.RAMESH, J.



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and

V.LAKSHMINARAYANAN, J.

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