



W.P.Crl.No.7 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

CORAM :

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

W.P.Crl.No.7 of 2025

Rukumani

... Petitioner

Vs.

The State represented by its,

1.The Deputy Inspector General of Prison
Gandhi Irwin Road
Egmore
Chennai 600 008

2.The Superintendent
Puzhal Central Prison - 1
Chennai 600 066

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to grant 6 days of emergency leave without escort to the detenu, Karuna @ Karunakaran, S/o.Panjanathan, aged about 42 years, Convict Prisoner, Convict No.894, and PID No.543945 from Central Prison, Puzhal-1.

For Petitioner : Mr.A.Sivakumar

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For Respondents

: Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

This Writ Petition has been filed praying for the issuance of Writ of Mandamus, directing the respondents to grant 6 days of emergency leave without escort to the detenu, Karuna @ Karunakaran, S/o.Panjanathan, aged about 42 years, Convict Prisoner, Convict No.894, and PID No.543945 from Central Prison, Puzhal-1.

2. The petitioner's husband is a life convict for the offence U/s.302 I.P.C. and sentenced to undergo life imprisonment and U/s.148 IPC, he is sentenced to 3 years imprisonment by the learned Additional District and Sessions Judge at Fast Track Court-2, Chennai in S.C.No.138 of 2007, dated 06.07.2007. The petitioner is 40 years old now and suddenly last week she has developed ears ache and visited Rajiv Gandhi Government Hospital for treatment. The doctor who attended the petitioner informed



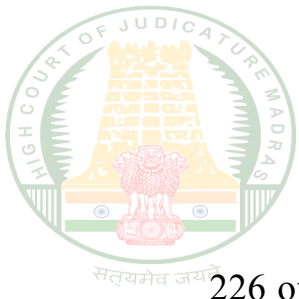
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that there is a hole in her right ear and her hearing sensitivity is getting decreased day by day. The doctor also advised her to undergo surgery immediately. Hence, she has given a representation dated 30.04.2025 seeking 6 days emergency leave to her husband, enabling him to assist her during her surgery. 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 respondent.

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



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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 30.04.2025, seeking for ordinary leave to the convict prisoner, 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.

6. With the above direction, this Writ Petition stands disposed of.
No costs.

[M.S.R, J.]

[V.L.N, J.]

05.06.2025

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Note: Issue Order Copy on 11.06.2025



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Chennai 600 008

2.The Superintendent
Puzhal Central Prison - 1
Chennai 600 066

3.The Public Prosecutor,
High Court of Madras
Chennai 600 104



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