



W.P.Crl.No.20 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM :

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

W.P.Crl.No.20 of 2025

Velayudham

... Petitioner

Vs.

1.The Deputy Inspector General of Prisons
Whannels Road
Egmore
Chennai 600 008

2.The Superintendent of Prison
Central Prison - 1
Puzhal
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 28 days ordinary leave without escort for petitioner namely Velayudham, S/o.Janakiraman, aged 39 years, Convict Prisoner, Convict No.8631, Central Prison, Puzhal.



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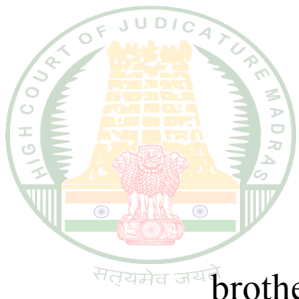
For Petitioner : Mrs.S.Nadhiya
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

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 28 days ordinary leave without escort for petitioner namely Velayudham, S/o.Janakiraman, aged 39 years, Convict Prisoner, Convict No.8631, Central Prison, Puzhal.

2. The petitioner is convicted U/s.498 A, 306 IPC and sentenced to undergo 7 years of imprisonment in S.C.No.157 of 2015 by the learned Sessions Judge, Mahalir Neethimandram, Chennai. The petitioner has so far undergone 3 1/2 years imprisonment. Since the petitioner's brother has passed away due to heart attack and his mother is also convicted and suffering imprisonment, he wants to avail leave to perform all final rituals to his brother. The petitioner is also having one younger sister, who is also in depression due to sudden death of his



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brother. Hence, a representation dated 15.04.2025 was given to the 2nd respondent and 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 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



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petitioner in the affidavit filed in support of this Writ Petition, directs the second respondent to consider the representation of the petitioner dated 15.04.2025, seeking for emergency 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.]

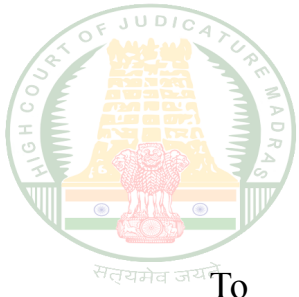
09.06.2025

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Index: Yes/No

Neutral Citation

Note: Issue Order Copy on 11.06.2025



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To
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Whannels Road
Egmore
Chennai 600 008

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

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



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