



W.P.Crl.No.22 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.22 of 2025

Saleena

... Petitioner

Vs.

The State represented by its

1.The Superintendent
Central Prison
Trichy 620 020

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondent to grant emergency leave for 15 days without escort to the detenu, A.M.Hakkim, S/o.Abdul Majith, aged about 41 years, Convict No.22928, confined at Central Prison, Trichy.

For Petitioner : Mr.S.Manoharan

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



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ORDER

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M.S.RAMESH, J.

AND

V.LAKSHMINARAYANAN, J.

This Writ Petition has been filed seeking for a direction to the respondent to grant emergency leave for 15 days without escort to the detenu, A.M.Hakkim, S/o.Abdul Majith, aged about 41 years, Convict No.22928, confined at Central Prison, Trichy.

2. The petitioner is the wife of the convict prisoner. They have one daughter and one son. After her husband's imprisonment, she has the burden of looking after their children. Since the petitioner is not doing good and she is getting heart pain very frequently, she needs her husband's assistance to take medical treatment and also to make arrangement for money to look after her health. Hence, she has given a representation on 22.04.2025 to the respondent seeking for 15 days emergency leave, 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



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Additional Public Prosecutor appearing for the respondent.

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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 petitioner in the affidavit filed in support of this Writ Petition, directs the respondent to consider the representation of the petitioner dated 22.04.2025, seeking for emergency leave to the convict prisoner, if not already disposed of and pass appropriate orders on merits and in

M.S.RAMESH, J.



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and
V.LAKSHMINARAYANAN, J.

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accordance with law, within two (2) days 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

To

1.The Superintendent
Central Prison
Trichy 620 020

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

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