



W.P.Crl.No.36 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P.Crl.No.36 of 2025

Navamani

... Petitioner

Vs.

1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St.George,
Chennai – 600 009.

2.The Deputy Inspector General of Prison,
Coimbatore Zone, Coimbatore.

3.The Superintendent of Prison,
Central Prison, Salem.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 2nd respondent to grant 28 days ordinary leave without escort to the petitioner's brother namely Duraisamy, S/o.Palanisamy, Convict No.9782, who is presently confined at Central Prison, Salem.



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For Petitioner : Mr.P.M.Basil

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

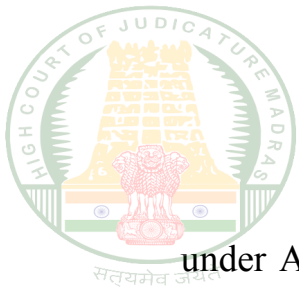
ORDER

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

The life convict has given a representation dated 27.12.2024 to the respondents herein, requesting to grant 28 days ordinary leave to him. Since the said representation has not been considered till date, the petitioner who is the sister of the life convict has filed the present Writ Petition.

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



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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 life convict'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 life convict dated 27.12.2024, 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.

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

[M.S.R, J.]

[V.L.N, J.]

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Index: Yes/No
Speaking order/Non-speaking order
Internet: Yes/No

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

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To

- 1.The Home Secretary,
Home Department (Prison),
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.The Deputy Inspector General of Prison,
Coimbatore Zone, Coimbatore.
- 3.The Superintendent of Prison,
Central Prison, Salem.
- 4.The Public Prosecutor,
High Court, Madras.

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