



W.P.Crl.No.63 of 2025

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

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Kavitha @ Zara

...Petitioner/ sister of the detenue

Vs.

1. The Deputy Inspector General of
prisons
Whannels Road, Egmore, Chennai -
600 008.

2.The Superintendent of Prison,
Central Prison-1, Puzhal, Chennai -
600066.

... Respondents

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 28 days ordinary leave without escort for petitioner's brother namely Murali S/o.Harikrishnan, aged 30 years, Convict Prisoner, Convict No.8328, Central Prison, Puzhal.



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For Petitioner : Ms.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 to direct the respondent to grant 28 days ordinary leave, without escort for the petitioner's brother namely Murali S/o.Harikrishnan, aged 30 years, Convict Prisoner, Convict No.8328, Central Prison, Puzhal.

2. The petitioner states that her brother was convicted by the Principal Sessions Court, Chennai for the offence under Section 302 IPC and was sentenced to undergo imprisonment for life. Since the petitioner's mother has been diagnosed with epilepsy and seizure disorder and the doctors have advised her to take further treatment, the petitioner made a representation dated 31.04.2025 before the respondents seeking 28 days of ordinary leave, without escort. Since the same has not been considered till date, the petitioner has come forward with this Writ Petition.



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

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 respondents to consider the representation of the petitioner dated 31.04.2025 before the respondents seeking ordinary leave for 28 days, if not already disposed of and pass appropriate orders on merits and in



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accordance with law, within a period of two (2) weeks 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]

13.06.2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Anu

To

1. The Deputy Inspector General of
prisons
Whannels Road, Egmore, Chennai -
600 008.

2. The Superintendent of Prison,
Central Prison-1, Puzhal, Chennai -
600066.

3. The Public Prosecutor,
High Court, Madras.



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