



W.P.Crl.No.50 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

CORAM :

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

W.P.Crl.No.50 of 2025

Amsaveni

... Petitioner

Vs.

1.State rep. by
The Deputy Inspector General of Prison
Coimbatore Range
Coimbatore - 18

2.The Superintendent of Prison
Central Prison
Coimbatore - 18

... 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 21 days ordinary leave without escort to petitioner's brother namely Balakrishnan @ Bala, S/o.Krishnan, who is a convict prisoner vide PID No.358783, aged about 33 years, who is presently confined in Central Prison, Coimbatore, by considering the petitioner's representation given on 10.05.2025, within the time limit to be stipulated by this Court.

For Petitioner : Mr.M.Vijayaragavan



W.P.Crl.No.50 of 2025

WEB COPY

For Respondents

: Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

M.S.RAMESH, J.

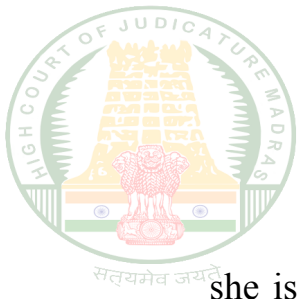
AND

V.LAKSHMINARAYANAN, J.

This Writ Petition has been filed praying for the issuance of Writ of Mandamus, directing the respondents to grant 21 days ordinary leave without escort to petitioner's brother namely Balakrishnan @ Bala, S/o.Krishnan, who is a convict prisoner vide PID No.358783, aged about 33 years, who is presently confined in Central Prison, Coimbatore, by considering the petitioner's representation given on 10.05.2025, within the time limit to be stipulated by this Court.

2. The petitioner's brother is a convict prisoner vide PID No.358783. He was convicted by the learned Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore vide judgment dated 27.08.2021, in Spl.C.C.No.69 of 2019 for the offence U/s.450 IPC and U/s.6 of POCSO Act, 2012.

3.It is the submissions of the learned counsel for the petitioner that



W.P.Crl.No.50 of 2025

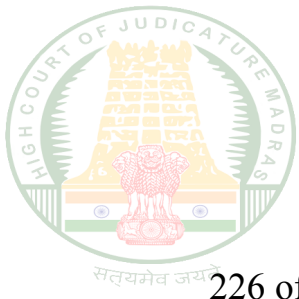
WEB COPY

she is the sister of the convict prisoner. The life convict is her brother.

The petitioner has arranged for an ear boring festival of her daughter, since her brother is the only one to perform that rites on behalf of her maternal side, his presence is very much required for the said ear boring function of her daughter. Hence, a representation dated 10.05.2025 was given to the respondents to grant 21 days ordinary leave to her brother. Since the same has not been considered by the respondents till date, the petitioner has come forward with this Writ Petition.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5. 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



W.P.Crl.No.50 of 2025

WEB COPY

226 of Constitution of India and direct them to consider the same within a stipulated time.

6. 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 10.05.2025, 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 two (2) weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

7. With the above direction, this Writ Petition stands disposed of.

No costs.

[M.S.R, J.]

[V.L.N, J.]

12.06.2025

kas

To

1.The Deputy Inspector General of Prison
Coimbatore Range
Coimbatore - 18

Page 4 of 6



W.P.Crl.No.50 of 2025

WEB COPY

2.The Superintendent of Prison
Central Prison
Coimbatore - 18

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

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

kas



WEB COPY



W.P.Crl.No.50 of 2025

W.P.Crl.No.50 of 2025

12.06.2025