



WEB COPY



W.P.Crl.No.88 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P.Crl.No.88 of 2025

A.Benazir Bau

... Petitioner

Vs.

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

... 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 consider the representation of the petitioner dated 25.04.2025 and to grant 6 days leave to the petitioner's husband namely Alavutheen, S/o.Samsudeen, aged about 34 years, Convict Prisoner No.5630, (PID 4578), now confined in the Central Prison-1, Puzhal, Chennai – 66.

For Petitioner : Mr.P.Pugalenth

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



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ORDER

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

The petitioner who is the wife of the life convict, has given a representation dated 25.04.2025 to the respondent herein, requesting to grant 6 days emergency leave to her husband/life convict. Since the said representation has not been considered till date, the present Writ Petition has been filed.

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



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4. 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 25.04.2025, 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

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

Sni

To

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

2.The Public Prosecutor,
High Court, Madras.

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