



W.P.Crl.No.106 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

and

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.Crl.No.106 of 2025

Lakshmi

.. 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 to issue a Writ of Mandamus, directing the 3rd respondent to grant 28 days ordinary leave without escort, to the petitioner's husband Mohan, S/o.Ramasamy, (Convict No.1079, PID No.185688) 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 petitioner has given a representation dated 13.05.2025 to the 3rd respondent herein, requesting for grant of 28 days ordinary leave to her husband, namely Mohan, S/o.Ramasamy, Convict No.1079, PID No.185688, presently confined in Central Prison, Salem. 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



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extraordinary powers 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 petitioner's representation or the contentions of the petitioner in the affidavit filed in support of this Writ Petition, directs the respondents herein to consider the representation of the petitioner dated 13.05.2025, 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)

19.06.2025

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Index : Yes / No

Internet : Yes / No

Neutral Citation : 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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