



W.P.Crl.No.142 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2025

CORAM :

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

W.P.Crl.No.142 of 2025

Eswari

... Petitioner

Vs.

The State represented by its

1.The Secretary to Government of TamilNadu
Home Department
Fort St. George
Chennai 600 009

2.The Superintendent
Coimbatore Central Prison
Coimbatore

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st respondent to consider the representation dated 08.04.2025 and consecutively premature release the convict prisoner, detenu, Senthilkumar, S/o.Viswanathan, aged about 46 years, Convict Prisoner, Convict No.17386 and PID No.3530 at Central Prison, Coimbatore.



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For Petitioner : Mr.P.Bakiyaraj

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

ORDER

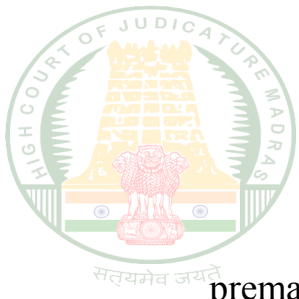
M.S.RAMESH, J.

AND

V.LAKSHMINARAYANAN, J.

The petitioner, who is the mother of the life convict viz. Senthilkumar, Convict No.17386 and PID No.3830, has come forward with this Writ Petition seeking for premature release pursuant to her representation dated 08.04.2025.

2. The petitioner states that her son has been convicted in S.C.No.101 of 2013 dated 24.02.2014, by the learned Sessions (Fast Track Mahila Court), Erode, for the offence U/s.302 IPC and sentenced to life imprisonment. As the petitioner's son has spent more than 11 years of his imprisonment in prison, relying upon the Government Order passed by the first respondent in G.O.Ms.No.488, Home (Pri-IV) Department, dated 15.11.2021 and G.O.(Ms) No.430, the petitioner had given a representation on 08.04.2025 to the respondents, seeking for



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premature release. Since the same has not been considered till date, the petitioner has come forward with this Writ Petition.

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



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petitioner in the affidavit filed in support of this Writ Petition, directs the respondents to consider the representation of the petitioner dated 08.04.2025, seeking to release her son / convict prisoner, prematurely, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of three (3) months 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.

[M.S.R, J.]

[V.L.N, J.]

25.06.2025

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Index: Yes / No

Speaking / Non Speaking

Neutral Citation

To

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2.The Superintendent
Coimbatore Central Prison
Coimbatore

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



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