



WEB COPY



W.P.Crl.No.217 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM :

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

W.P.Crl.No.217 of 2025

Manimegalai

... Petitioner

Vs.

1.State rep. by
The Secretary to Government
Department of Home
Fort St. George
Chennai 600 009

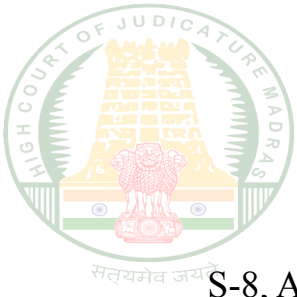
2.The Inspector General of Prison
No.1, CMDA Towers - II
Gandhi Irwin Road
Ethiraj Salai
Chennai 600 008

3.The Superintendent of Prison
Central Prison
Coimbatore 641 018

4.The Superintendent of Prison
Central Prison
Vellore 632 002

5.The Inspector of Police

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S-8, Adambakkam Police Station
Chennai

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 2nd and 3rd respondent to transfer the remanded prisoner Robin, S/o.Arul, from Central Prison, Coimbatore to Central Prison, Vellore based on the petitioner's representation dated 05.06.2025.

For Petitioner : Mr.S.N.Arun Kumar

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 2nd and 3rd respondent to transfer the remanded prisoner Robin, S/o.Arul, from Central Prison, Coimbatore to Central Prison, Vellore based on the petitioner's representation dated 05.06.2025.

2. The petitioner's grand son was remanded to judicial custody on 04.12.2024 by the 4th respondent for the offences U/s.8(c), 20(b)(ii)(B) & 29(1) of NDPS Act, who was found in possession of 1,200 Kg of Ganja



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and is presently confined at Central Prison, Coimbatore. Since the petitioner's grand son is suffering from chronic diabetes and the same has not been properly treated by usage of three doses of insulin injection per day. Further, the prisoner was not provided with proper medication such as insulin for his diabetic health issues and he is being further denied of his regular treatment which caused his health to deteriorate and put his life at grave risk. Due to which, he finds it difficult to travel a distance of 490 kms from Coimbatore to Chennai to attend trial which is also contributing in a considerable percentage in deteriorating his health. Due to financial constraints and health issues, it is not feasible for the relatives to frequently travel to Coimbatore to meet the remand prisoner. Hence, a representation was given to the 2nd respondent on 05.06.2025 seeking transfer of the remand prisoner to the Central Prison, Vellore to facilitate easier access to family visits and timely legal consultations. Since the same has not been considered by the respondents till date, the petitioner has come forward with the present Writ Petition.

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



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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 respondent to consider the representation of the petitioner dated 05.06.2025, seeking for transfer, if it is not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.



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

[M.S.R, J.]

[V.L.N, J.]

04.07.2025

kas

Index: Yes/No

Neutral Citation

Speaking / Non speaking

Note: Issue Order Copy on 08.07.2025

To

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

2.The Inspector General of Prison
No.1, CMDA Towers - II
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High Court of Madras
Chennai 600 104

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