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W.P.Crl.No.237 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P.Crl.No.237 of 2025

M.Annamai

... Petitioner

Vs.

1.The Director General of Prisons and Correctional Service,
Whannels Road, Egmore,
Chennai – 600 008.

2.The Inspector General of Prisons and Correctional Service,
Whannels Road, Egmore,
Chennai – 600 008.

3.The Superintendent of Prisons,
Central Prison,
Cuddalore.

4.The Inspector of Police,
AWPS, Virudhachalam,
Cuddalore District.
(Crime No.8 of 2021)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,



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praying for the issuance of Writ of Mandamus, directing the 3rd respondent herein to grant emergent leave for a period of 30 days to the petitioner's husband namely L.Mani, S/o.Lakshmanan, aged about 69 years, now he is confined in Central Prison, Cuddalore and his prisoner PID No.312557 & LT.No.17156, for taking better treatment of his spine disc prolapsed which was certified by the medical officer central prison hospital Cuddalore, which is scheduled to be held on 01.07.2025 to 31.07.2025 at private Hospital.

For Petitioner : Mr.P.Kannan

For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

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

The petitioner who is the wife of a convict prisoner, has given a representation dated 21.06.2025 to the third respondent herein, requesting to grant 30 days emergency leave to her husband/convict prisoner for taking medical treatment. Since the said representation has not been considered till date, the present Writ Petition has been filed.



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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.

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 third respondent herein to consider the representation of the petitioner dated 21.06.2025, 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



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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.]

07.07.2025

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

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5.The Public Prosecutor,
High Court, Madras.



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