



W.P.Crl.No.297 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

CORAM :

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

W.P.Crl.No.297 of 2025

Seenivasan

... Petitioner

Vs.

1.The Government of Tamil Nadu
Rep. by its Secretary to Government
Home (Prison IV) Department
Fort St. George
Chennai 600 009

2.The Additional Director General of Prisons
Thalamuthu Natarajan Maaligai
2nd Floor, Gandhi Irwin Road
Egmore, Chennai 600 008

3.The Superintendent of Central Prison
Central Prison
Coimbatore

4.The Inspector of Police
Anaimalai Station
Coimbatore District
(Crime No.174 of 2019)

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents herein to grant leave for 30 days without escort to the petitioner's brother namely Ganesh, aged about 52 years, S/o.Krishnan, Convict No.22780, detained at Central Prison, Coimbatore.

For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

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

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents herein to grant leave for 30 days without escort to the petitioner's brother viz. Ganesh, aged about 52 years, S/o.Krishnan, Convict No.22780, detained at Central Prison, Coimbatore, considering the representation of the petitioner dated 16.04.2025.

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



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3. 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.

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 16.04.2025, seeking for ordinary leave of 30 days to the convict prisoner, without escort, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of two (2) weeks from the date of receipt of a copy of this order and communicate the same to



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

[M.S.R, J.]

[V.L.N, J.]

15.07.2025

kas

Index: Yes/No

Neutral Citation

Speaking / Non speaking

Note: Issue Order Copy on 17.07.2025

To

1.The Secretary to Government
Home (Prison IV) Department
Fort St. George
Chennai 600 009

2.The Additional Director General of Prisons
Thalamuthu Natarajan Maaligai
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5.The Public Prosecutor
High Court of Madras
Chennai 600 104

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



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