



W.P.Crl.No.293 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.293 of 2025

Thuniya

... Petitioner

Vs.

The State represented by its

1.The Deputy Inspector General of Prison
Coimbatore Zone
Coimbatore 641 018

2.The Superintendent
Coimbatore Central Prison
Coimbatore 641 018

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to grant ordinary leave for 28 days without escort to the detenu viz. Hakkim, S/o.Rahuman, aged 42 years, PID No.23636, confined at Central Prison, Coimbatore.

For Petitioner : Mr.P.Bakiyaraj

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

ORDER



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M.S.RAMESH, J.

AND

V.LAKSHMINARAYANAN, J.

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to grant ordinary leave for 28 days without escort to the detenu viz. Hakkim, S/o.Rahuman, aged 42 years, PID No.23636, confined at Central Prison, Coimbatore, considering the representation of the petitioner dated 28.05.2024.

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

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



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stipulated time.
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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 28.05.2024, seeking for ordinary leave of 28 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 the petitioner.

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

Note: Issue Order Copy on 17.07.2025

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

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

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