



W.P.Crl.No.339 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

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T.Sudha Thiyagarajan

... Petitioner

Vs.

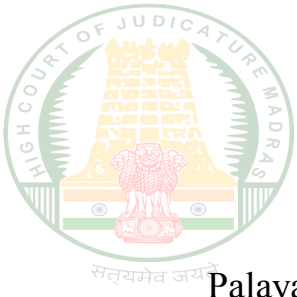
1.The Additional Chief Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009

2.The Director General of Police
Director General of Prison and
Correctional Service
Whannels Road
Egmore, Chennai 600 008

3.The Superintendent of Prison
Central Prisoner
Palayamkottai
Tirunelveli 627 002

... 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 issue an order of transfer to the petitioner's husband from



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Palayamkottai Central Prison to Central Prison in Vellore District and Cuddalore Districts, near Kanchipuram based on the petitioner's representation dated 16.06.2025.

For Petitioner : Mr.S.Kasirajan

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 to issue an order of transfer to the petitioner's husband from Palayamkottai Central Prison to Central Prison in Vellore District or in Cuddalore District, near Kanchipuram based on the petitioner's representation dated 16.06.2025.

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



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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 respondents to consider the representation of the petitioner dated 16.06.2025, seeking for transfer to the convict prisoner, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order and communicate the same to 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.]

18.07.2025

kas

Index: Yes/No

Neutral Citation

Speaking / Non Speaking

To

1.The Additional Chief Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009

2.The Director General of Police
Director General of Prison and
Correctional Service
Whannels Road, Egmore
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3.The Superintendent of Prison
Central Prisoner, Palayamkottai
Tirunelveli 627 002

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

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