



W.P.Crl.No.353 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM :

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

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HEMAVATHI

...Petitioner/ mother of the detenue

Vs.

1. The State represented by its, The
Secretary to the Government of
Tamil Nadu,
Department of Home, Fort
St.George, Chennai-600 009.

2.The Deputy Inspector General of
Prison,
Puzhal Range, Puzhal-600 066.

3.The Superintendent,
Central Prison Puzhal, Puzhal-600
066.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of Writ of Mandamus, to direct the respondents
to grant emergency leave for 15 days, without escort to the detenue
Abishek, S/o.Narayanan, aged about 28 years, convict prisoner, bearing
CT.No.7924, confined at Central Prison, Puzhal.



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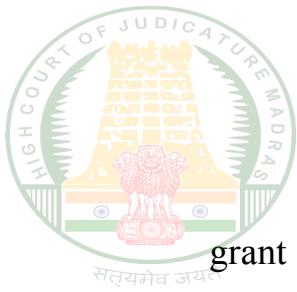
For Petitioner : Mr.P.Bakiyaraj
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

This Writ Petition has been filed to direct the respondents to grant emergency leave for 15 days, without escort to the detainee Abishek, S/o.Narayanan, aged about 28 years, convict prisoner, bearing CT.No.7924, confined at Central Prison, Puzhal.

2. The petitioner states that her son was convicted for the offence under Sections 6 of POCSO Act r/w Section 376(D) IPC and Section 5(9), 42 of POCSO Act and sentenced to undergo life imprisonment by the Sessions Special Court for Exclusive Trial of Cases under POCSO Act, Chennai in S.C.No.407 of 2018 dated 03.02.2020. It is further stated that the petitioner's son has served more than 5 years of imprisonment and that her husband passed away on 11.07.2025, due to health issues and his final rituals have to be performed by the petitioner's son. Therefore, she made a representation dated 14.07.2025 before the respondents seeking to



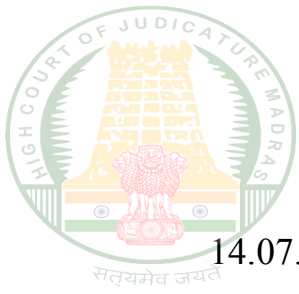
grant emergency leave for a period of 15 days, without escort for her son.

Since the same has not been considered till date, the petitioner has come forward with this Writ Petition.

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

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 respondents to consider the representation of the petitioner dated



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14.07.2025 before the respondents seeking to grant emergency leave for a period of 15 days, without escort for her son, 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 of receipt of a copy of this order and communicate the same to the petitioner.

6. With the above direction, this Writ Petition (Criminal) stands disposed of. No costs.

[M.S.R., J] [V.L.N., J]

21.07.2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

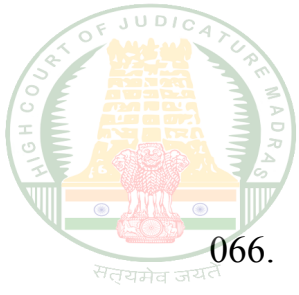
Anu

To
1. The Secretary to the Government
of Tamil Nadu,
Department of Home, Fort
St.George, Chennai-600 009.

2.The Deputy Inspector General of
Prison,
Puzhal Range, Puzhal-600 066.

3.The Superintendent,
Central Prison Puzhal, Puzhal-600

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066.

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4.The Public Prosecutor,
High Court, Madras.



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and
V. LAKSHMINARAYANAN, J.

Anu

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