



W.P.Crl.No.399 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2025

CORAM :

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

W.P.Crl.No.399 of 2025

R.Deepika

...Petitioner/ wife of the detenue

Vs.

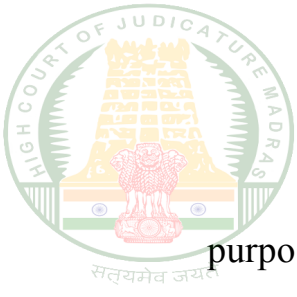
1.The Director General of Prison,
O/o. of Director General of Prison,
Whanells Road, Egmore,
Chennai District-600008

2.The Deputy Inspector General of Prison,
O/o. of Director General of Prison,
Whanells Road, Egmore,
Chennai District-600008

3.The Superintendent of Prison,
Chennai Prison Puzhal,
Chennai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the third respondent to grant emergency leave for a period of 6 days to the petitioner's husband, convict prisoner Radhakirshnan @ Arumbakkam Radha, S/o.Ramanujam, confined at the third respondent prison, for the



W.P.Crl.No.399 of 2025

purpose of "arrangements of the children studies and seen his son's aged about 6 years" in pursuant to the representation dated 27.06.2025.

For Petitioner : Mr.R.Muthamizhselvakumar
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 third respondent to grant emergency leave for a period of 6 days to the petitioner's husband, convict prisoner, Radhakirshnan @ Arumbakkam Radha, S/o.Ramanujam, who is confined at Central Prison, Puzhal, Chennai, for the purpose of arranging funds for the education expenses of her children, pursuant to her representation dated 27.06.2025.

2. The petitioner states that her husband was convicted for the offence under Sections 148, 120(B) and 302 IPC and sentenced to undergo life imprisonment by the learned Additional Session Judge, Chennai in S.C.No.176 of 2013 dated 12.08.2024. It is further stated that the petitioner's husband has served more than 5 years of imprisonment.



W.P.Crl.No.399 of 2025

As she requires her husband for arranging school fees of their children and that the convict prisoner is eligible for grant of leave under Section 6 of the Tamil Nadu Suspension of Sentence Rules, 1982, she made a representation dated 27.06.2025 before the respondents seeking to grant emergency leave for a period of 6 days, without escort. 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.



W.P.Crl.No.399 of 2025

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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 27.06.2025 before the respondents seeking to grant emergency leave for a period of 6 days, without escort for her husband, 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]

24.07.2025

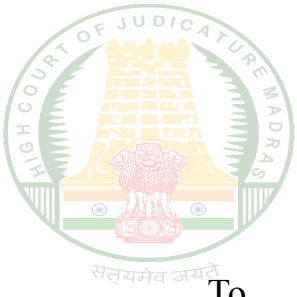
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Anu



W.P.Crl.No.399 of 2025

To
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2.The Deputy Inspector General of Prison,
O/o. of Director General of Prison,
Whanells Road, Egmore,
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3.The Superintendent of Prison,
Chennai Prison Puzhal,
Chennai District.

4.The Public Prosecutor,
High Court, Madras.



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