



W.P.Crl.No.415 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2025

CORAM :

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

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Bharathi

... Petitioner

*Vs.*

1.The Principal Secretary to Government  
Home Department Prison  
Fort St. George  
Chennai 600 009

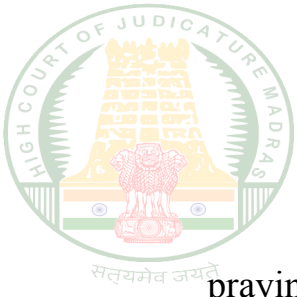
2.The Director General of Prisons  
No.1, Thalamuthu Natarajan Maaligai  
2nd Floor, Gandhi Irwin Road  
Egmore, Chennai 600 008

3.The Deputy Inspector General of Prisons  
Cuddalore Range  
Cuddalore

4.The Superintendent of Prisons  
Central Prison  
Salem 636 007

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,



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praying for the issuance of Writ of Mandamus, directing the respondents to permanently transfer the petitioner's husband viz.Prakash, S/o.Sathyamoorthy, CT.No.974, PID No.21049 from Central Prison, Cuddalore to Central Prison, Salem.

For Petitioner : Mr.P.M.Basil

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 permanently transfer the petitioner's husband viz.Prakash, S/o.Sathyamoorthy, CT.No.974, PID No.21049 from Central Prison, Cuddalore to Central Prison, Salem.

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



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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 01.07.2025, 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.

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



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

[M.S.R, J.]

[V.L.N, J.]

25.07.2025

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Index: Yes/No

Neutral Citation

Speaking / Non speaking

To

1.The Principal Secretary to Government  
Home Department Prison  
Fort St. George, Chennai 600 009

2.The Director General of Prisons  
No.1, Gandhi Irwin Road  
Egmore, Chennai 600 008

3.The Deputy Inspector General of Prisons  
Cuddalore Range, Cuddalore

4.The Superintendent of Prisons  
Central Prison, Salem 636 007

5.The Public Prosecutor  
High Court of Madras  
Chennai 600 104

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