



W.P.Crl.No.487 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2025

CORAM :

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

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Mathi @ Mathiyazhagan
S/o.Sitha Gounder,
Life Convict Prisoner-PID No.25715,
Central Prison at Salem,
Hasthampatty, Salem-7.

...Petitioner/detenuue

Vs.

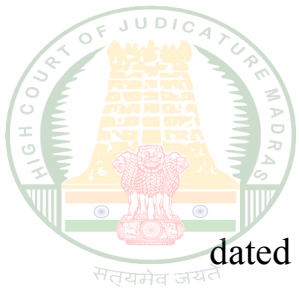
1.The State rep. by its
The Home Secretary (Prison Dept),
Secretariat, St. George Fort, Chennai-9

2.The Director General of Prison,
Whannels Road, Egmore, Chennai-009

3.The Superintendent of Prison,
Central Prison at Salem,
Hasthampatty, Salem-7

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the first respondent to release the petitioner/convict namely Mathi @ Mathiyalagan, S/o.Sitha Gounder (PID No.25715) confining at third respondent herein by considering the petitioner's wife representation



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dated 15.10.2024.

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For Petitioner : Mr.M.Mohamed Saifulla
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 first respondent to release the petitioner/convict prisoner namely Mathi @ Mathiyazhagan, S/o. Sitha Gounder (PID No.25715), who is confined at Central Prison, Salem, by considering the representation of the petitioner's wife dated 15.10.2024.

2. The petitioner states that the petitioner was convicted and sentenced to undergo life imprisonment by the learned Principal Sessions Judge, Namakkal in S.C.No.85 of 2003. It is further stated that the petitioner has served 17 years of imprisonment, without any bad antecedents and is eligible for premature release. Therefore, the petitioner's wife made a representation dated 15.10.2024 to the Chief



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Minister Grievance Cell, seeking for premature release of the convict prisoner and the same for forwarded to the second respondent. 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



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petitioner in the affidavit filed in support of this Writ Petition, directs the respondents to consider the representation of the petitioner dated 15.10.2024 before the respondents seeking for premature release of the convict prisoner, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order and communicate the same to the petitioner.

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

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

05.08.2025

Index: Yes/No

Speaking/Non-speaking order

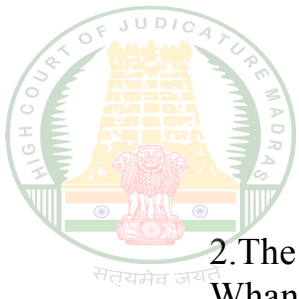
Internet: Yes/No

Neutral Citation: Yes/No

Anu

To

1. The State rep. by its
The Home Secretary (Prison Dept),
Secretariat, St. George Fort, Chennai-9



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2.The Director General of Prison,
Whannels Road, Egmore, Chennai-009

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3.The Superintendent of Prison,
Central Prison at Salem,
Hasthampatty, Salem-7

4.The Public Prosecutor,
High Court, Madras.



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