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W.P.Crl.No.439 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.Crl.No.439 of 2025

Sarathi

... Petitioner

Vs.

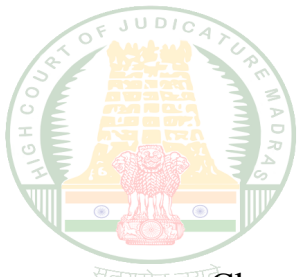
1.The Deputy Inspector General of Prisons
Prison Head Quarters
Whannels Road
Egmore
Chennai

2.The Superintendent of Prisons
Central Prison-1
Puzhal
Chennai 600 066

... 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 take the petitioner's brother viz. Jahir Vishwa @ Vimal, S/o.Sugumar, aged about 25 years, PID No.312518, under trial prisoner, Central Prison,

Puzhal, Chennai, for medical treatment in Government Stanley Hospital,



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Chennai.
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For Petitioner : Mrs.S.Nadhiya
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 take the petitioner's brother viz. Jahir Vishwa @ Vimal, S/o.Sugumar, aged about 25 years, PID No.312518, under trial prisoner, Central Prison, Puzhal, Chennai, for medical treatment in Government Stanley Hospital, Chennai.

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

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 22.07.2025, seeking for medical treatment to the convict prisoner, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of two (2) days from the date of

M.S.RAMESH, J.
AND
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receipt of a copy of this order and communicate the same to the petitioner.

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

[M.S.R, J.]

[V.L.N, J.]

31.07.2025

kas

Index: Yes/No
Neutral Citation
Speaking / Non speaking

To
1.The Deputy Inspector General of Prisons
Prison Head Quarters
Whannels Road
Egmore, Chennai

2.The Superintendent of Prisons
Central Prison-1
Puzhal, Chennai 600 066

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

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