



W.P.Crl.No.454 of 2025

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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.454 of 2025

Rajesh

... Petitioner

Vs.

1.Union Territory of Puducherry
Rep. by its Chief Secretary
Puducherry

2.Union Territory of Puducherry
Rep. by its Home Secretary
Puducherry

3.The Inspector General of Prison
Puducherry

4.The Chief Superintendent of Prisons
Central Prison, Kalapet
Puducherry

5.The Superintendent of Prisons
Central Prison
Kalapet
Puducherry

6.The Inspector of Police



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Thirukkanur Police Station
Puducherry

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 5th respondent to grant 20 days ordinary leave to the petitioner, Convict No.4950, now confined in Central Prison, Kalapet, Puducherry, in view of the critical medical condition of the petitioner's father based on the representation dated 02.04.2025.

For Petitioner : Mr.S.Gowri Shankar

For Respondents : Mr.M.V.Ramachandramoorthy
Addl. Public Prosecutor (Pondy)
Assisted by Mr.A.Alex, G.A.

ORDER

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

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the 5th respondent to grant 20 days ordinary leave to the petitioner, Convict No.4950, now confined in Central Prison, Kalapet, Puducherry, in view of the critical medical condition of the petitioner's father based on the representation dated 02.04.2025.

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



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3. 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.

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 02.04.2025, seeking for ordinary leave of 20 days 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) weeks from the date of receipt of a copy of this order and communicate the same to the



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

[M.S.R, J.]

[V.L.N, J.]

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Index: Yes/No
Neutral Citation
Speaking / Non speaking

To

1.The Chief Secretary
Union Territory of Puducherry
Puducherry

2.The Home Secretary
Union Territory of Puducherry
Puducherry

3.The Inspector General of Prison
Puducherry

4.The Chief Superintendent of Prisons
Central Prison, Kalapet
Puducherry

5.The Superintendent of Prisons
Central Prison
Kalapet

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6.The Inspector of Police
Thirukkanur Police Station
Puducherry

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

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

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