



W.P.Crl.No.452 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

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Kannan

... Petitioner

Vs.

1.The State of Tamil Nadu
rep. by the Additional Chief Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009

2.The Director General of Police /
The Director General of Prisons and Correctional Service
Whannels Road
Egmore, Chennai 600 008

3.The Superintendent of Prison
Central Prison
Vellore 632 002

... 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 consider the representation of the petitioner dated 19.06.2025 and to place the petitioner namely Mr.Kannan, S/o.Gajarajappa, aged about 72



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years, Life Convict, Ct.No.16708, now confined in Central Prison, Vellore-2, before the Advisory Board for consideration of his release under the premature release scheme.

For Petitioner : Mr.P.Pugalenth

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 consider the representation of the petitioner dated 19.06.2025 and to place the petitioner namely Mr.Kannan, S/o.Gajarajappa, aged about 72 years, Life Convict, Ct.No.16708, now confined in Central Prison, Vellore-2, before the Advisory Board for consideration of his release under the premature release scheme.

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 nature is made to a Statutory Authority, there is a duty cast upon the



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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 19.06.2025, seeking for his premature release, 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.

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.]

31.07.2025

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Index: Yes/No

Neutral Citation

Speaking / Non speaking

To

1.The Additional Chief Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Chennai 600 009

2.The Director General of Police /
The Director General of Prisons and Correctional Service
Whannels Road
Egmore, Chennai 600 008

3.The Superintendent of Prison
Central Prison
Vellore 632 002

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

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