



W.P.Crl.No.566 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

CORAM :

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

W.P.Crl.No.566 of 2025

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...Petitioner/mother of the detenue

Vs.

1.The Additional Chief Secretary,
Government of Tamil Nadu,
Home Prison (VI) Department,
Secretariat,
Chennai-600 009

2.The Director General of Prison/
Inspector of Prison,
Gandhi Erven Road,
Chennai-600 008

3.The Superintendent of Prison,
Cuddalore Central Prison,
Cuddalore.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of Writ of Mandamus, to direct the third
respondent to consider the petitioner's representation dated 22.07.2025.

For Petitioner

: Mr.P.Thirumalai



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W.P.Crl.No.566 of 2025

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 third respondent to consider the petitioner's representation dated 22.07.2025, seeking leave for her son for a period of 30 days.

2. The petitioner states that the petitioner's son was convicted and sentenced to undergo rigorous imprisonment for 6 months and simple imprisonment for one month and to undergo rigorous imprisonment for twenty years in Spl.S.C.No.136 of 2021. It is further stated that the petitioner has certain medical ailments and she requires her son to arrange funds for her medical expenses and to take care of her. Therefore, she made a representation dated 22.07.2025 to the respondents, seeking leave for a period of 30 days. 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



W.P.Crl.No.566 of 2025

Additional Public Prosecutor appearing for the respondents.

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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 petitioner in the affidavit filed in support of this Writ Petition, directs the respondents to consider the representation of the petitioner dated 22.07.2025 before the respondents seeking for 30 days leave, 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



W.P.Crl.No.566 of 2025

petitioner.

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

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

12.08.2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Anu

To

1.The Additional Chief Secretary,
Government of Tamil Nadu,
Home Prison (VI) Department,
Secretariat,
Chennai-600 009

2.The Director General of Prison/
Inspector of Prison,
Gandhi Erven Road,
Chennai-600 008

3.The Superintendent of Prison,
Cuddalore Central Prison,
Cuddalore.

4.The Public Prosecutor,
High Court, Madras.

Page 4 of 5



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W.P.Crl.No.566 of 2025

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

Anu

W.P.Crl.No.566 of 2025

12.08.2025