



W.P.Crl.No.593 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2025

CORAM :

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

W.P.Crl.No.593 of 2025

M.Malliga

... Petitioner/mother of the detenue

Vs.

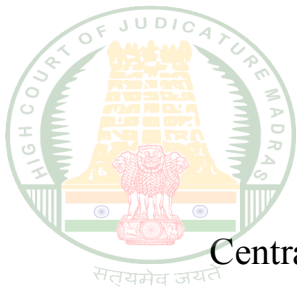
1.The Deputy Inspector General of Prison,
Prisons and Correctional Service
Chennai Range,
Chennai-600 008

2.The Home Secretary,
St. George Fort, Chennai

3.The Superintendent of Prisons,
Central Prison, Puzhal-600 066

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to consider the petitioner's representation dated 22.07.2025 and consequently, direct the third respondent to grant 30 days of ordinary leave to the petitioner's son Nandhakumar, S/o.Mahalingam, (PID No.477021), now confined at



W.P.Crl.No.593 of 2025

Central Prison, Puzhal.

WEB COPY

For Petitioner : Mr.Arulmuruganandham.N.K
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 respondents to consider the petitioner's representation dated 22.07.2025 and consequently, direct the third respondent to grant 30 days of ordinary leave to the petitioner's son Nandhakumar, S/o.Mahalingam, (PID No.477021), who is now confined at Central Prison, Puzhal.

2. The petitioner states that her son was convicted and sentenced to undergo imprisonment for life by the learned Sessions Judge, Magalir Neethimandram, Chennai in S.C.No.315 of 2023 dated 12.03.2024. It is further stated that the petitioner's son has been in prison for the past 1½ years and that the petitioner's sister passed away on 19.07.2025 due to cancer. The petitioner, who is bedridden, has no one to take care of her



W.P.Crl.No.593 of 2025

and therefore requires the presence of her son. In these circumstances, she made a representation dated 22.07.2025 before the respondents seeking to grant ordinary leave for a period of 30 days, without escort for her son. 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



W.P.Crl.No.593 of 2025

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 to grant ordinary leave for a period of 30 days, without escort for the 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 petitioner.

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

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

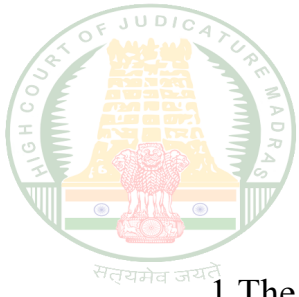
14.08.2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No

Anu

To

Page 4 of 6



W.P.Crl.No.593 of 2025

1.The Deputy Inspector General of Prison,
Prisons and Correctional Service
Chennai Range,
Chennai-600 008

2.The Home Secretary,
St. George Fort, Chennai

3.The Superintendent of Prisons,
Central Prison, Puzhal-600 066

4.The Public Prosecutor,
High Court, Madras.



WEB COPY



W.P.Crl.No.593 of 2025

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

Anu

W.P.Crl.No.593 of 2025

14.08.2025