



W.P.Crl.No.588 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.588 of 2025

Vijayakumar

...Petitioner/ detenue

Vs.

1.The Deputy Inspector General of Prisons,
Chennai Range,
Egmore, Chennai-600 008

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to grant 6 days of emergency leave, without escort to the petitioner namely Vijayakumar, S/o.A.Mookaiyadever, aged about 51 years, Convict Prisoner, P.D No.202432, Central Prison, Puzhal, Chennai.



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For Petitioner : Ms.S.Nadhiya

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

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ORDER

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

This Writ Petition has been filed to direct the respondents to grant 6 days of emergency leave, without escort, to the petitioner namely Vijayakumar, S/o.A.Mookaiyadever, aged about 51 years, Convict Prisoner, P.D No.202432, confined at Central Prison, Puzhal, Chennai.

2. The petitioner states that he was convicted and sentenced to undergo imprisonment for ten years by the Principal Special Court for EC & NDPS Act Cases, Madurai in C.C.No.192 of 2015 dated 29.11.2023 and he was also arrested and convicted in C.C.No.39 of 2020 and was sentenced to under imprisonment for 12 years. It is further stated that the petitioner has served 5 years of imprisonment and that the petitioner's mother has been diagnosed with uterine prolapse and the doctor has advised her to under surgery. Therefore, she made a



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representation dated 04.08.2025 before the respondents seeking to grant emergency leave for a period of 6 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



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petitioner in the affidavit filed in support of this Writ Petition, directs the respondents to consider the representation of the petitioner dated 04.08.2025 before the respondent seeking to grant emergency leave for a period of 6 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 one (1) week from the date of receipt of a copy of this order and communicate the same to the petitioner.

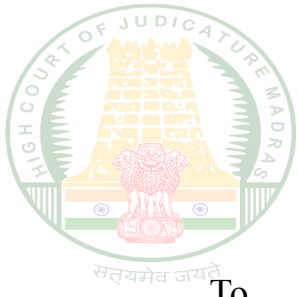
6. With the above direction, this Criminal Writ Petition stands disposed of. No costs.

[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

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To
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1.The Deputy Inspector General of Prisons,
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Egmore, Chennai-600 008

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

3.The Public Prosecutor,
High Court, Madras.



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