



W.P.Crl.No.630 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

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Soundari

... Petitioner

Vs.

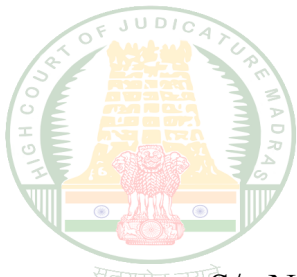
The State represented by its

1.The Secretary to Government of Tamilnadu
Home (Prison-IV) Department
Secretariat of Tamilnadu
Chennai 600 009

2.The Superintendent
Central Prison Coimbatore
Coimbatore 641 018

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st respondent to consider the representation dated 15.07.2025 and consecutively remit the remaining sentence under Section 473 of the BNSS (U/s.432 of Cr.P.C.) to release the detenu, Narayanasamy,



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S/o.Nataraj, aged about 70 years, CT.No.25276, confined at Central Prison, Coimbatore.

For Petitioner : Mr.S.Manoharan

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 1st respondent to consider the representation dated 15.07.2025 and consecutively remit the remaining sentence under Section 473 of the BNSS (U/s.432 of Cr.P.C.) to release the detenu, Narayanasamy, S/o.Nataraj, aged about 70 years, CT.No.25276, confined at Central Prison, Coimbatore.

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 1st respondent to consider the representation of the petitioner dated 15.07.2025, seeking for remission of sentence U/s.473 of BNSS, 2023 to the convict prisoner, 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



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

[M.S.R, J.] [V.L.N, J.]
20.08.2025

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Index: Yes/No
Neutral Citation
Speaking / Non speaking

To

1.The Secretary to Government of Tamilnadu
Home (Prison-IV) Department
Secretariat of Tamilnadu
Chennai 600 009

2.The Superintendent
Central Prison Coimbatore
Coimbatore 641 018

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

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