



W.P.Crl.No.620 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM :

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

W.P.Crl.No.620 of 2025

Tamilselvi

... Petitioner / Mother of the detainee

Vs.

The State represented by its

1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore – 641 018

2.The Superintendent of Prison,
Central prison,
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 respondents to grant Ordinary leave for 30 days to the petitioner's son, the detainee, Gokul, S/o. Raju, aged about 26 years, PID No.298037 detained at Central Prison, Coimbatore.

For Petitioner : Mr.S.Manoharan

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

ORDER



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M.S.RAMESH, J.

and

V. LAKSHMINARAYANAN, J.

This Writ Petition has been filed to direct the respondents grant ordinary leave for 30 days to the petitioner's son namely Gokul, son of Raju, aged 26 years, (PID No.298037), who is now confined at Central Prison, Coimbatore.

2. The petitioner states that her son was convicted and sentenced to undergo imprisonment by the learned Sessions (Fast Track Mahila) Judge, Namakkal in Spl.C.C.No.26 of 2018 dated 04.12.2020. It is further stated that the petitioner is suffered from epilepsy and her husband is an aged person and that there is no one to take care of them except her son. The petitioner's son has served 4 years of imprisonment. Therefore, she made a representation dated 07.07.2025 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.



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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 07.07.2025 before the respondents seeking to grant ordinary leave for a period of 30 days, without escort for her son, 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.



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

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

19.08.2025

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

To

1.The Deputy Inspector General of Prison,
Coimbatore Range,
Coimbatore – 641 018

2.The Superintendent of Prison,
Central prison,
Coimbatore -641 018.

3.The Public Prosecutor,
High Court, Madras.



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