



W.P.(Clr.)No.848 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-09-2025

CORAM:

THE HONOURABLE MRS. JUSTICE **J. NISHA BANU**

AND

THE HONOURABLE MR. JUSTICE **S. SOUNTHAR**

W.P.(CrI.)No.848 of 2025

S.Sathish Kumar

S/o A.Sabarathinam

... Petitioner

Vs.

1. The Home Secretary,
Home department (Prison),
Secretariat,
Fort St.George,
Chennai - 600 009.

2. The Inspector General of Prison,
Prison Head Quarters,
Egmore, Chennai - 600 008.

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

... Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the 3rd respondent to consider the representation dated 05.05.2025 to grant 'A Class Prison' to the petitioner Mr.S.Sathish Kumar, S/o Savarathinam, who is currently incarcerated at Central Prison, puzhal-I, Chennai, bearing Convict No.4222 and PID No.33367.



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For Petitioner : Mr.Ambruse.L.

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(The order of the Court was made by J.Nisha Banu,J.)

This Writ Petition has been filed seeking for a direction to the 3rd respondent to consider the representation dated 05.05.2025 to grant 'A Class Prison' to the petitioner Mr.S.sathish Kumar, S/o Savarathinam, who is currently incarcerated at Central Prison, Puzhal-I, Chennai, bearing Convict No.4222 and PID No.33367.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. Learned counsel for the petitioner would state though a representation dated 05.05.2025 was sent to the 2nd respondent to grant 'A Class Prison' to the petitioner, the same has not been considered so far.

4. It is needless to point out that whenever a representation is made to a Statutory Authority, there is a duty cast upon the respondents



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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 affidavit filed in support of this Writ Petition, directs the 3rd respondent to consider the representation of the petitioner dated 05.05.2025, seeking for grant of 'A Class Prison' to the petitioner, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of four (4) weeks from today and communicate the same to the petitioner.

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

(J.NISHA BANU, J.) (S. SOUNTHAR, J.)

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vsi



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3. The Superintendent of Prison,
Central Prison-I,
Puzhal,
Chennai - 600 066.
4. The Public Prosecutor,
High Court of Madras, Chennai.



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