



W.P.No.31576 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2025

CORAM :

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

W.P.No.31576 of 2024
and W.M.P.No.34316 of 2024

M.Rakku

...Petitioner/ mother of the detainee

Vs.

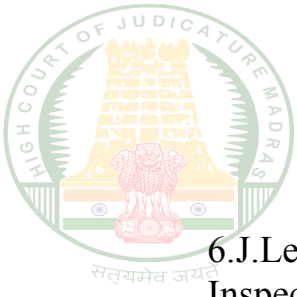
1. The State Of Tamil Nadu
Rep By The Secretary To
Government, Home, Prohibition
And Excise Department, Secretariat,
Chennai-600 009.

2.The Director General Of Police
DGP Office, Mylapore, Chennai-
600 004.

3.The Deputy Inspector General Of
Police
Coimbatore Range, Coimbatore.

4.The Superintendent Of Police
Thiruppur District, Thiruppur.

5.The Inspector Of Police
Palladam Police Station,
Thiruppur District.



W.P.No.31576 of 2024

6.J.Lenin Appadurai
Inspector Of Police,
Palladam Police Station,
Thiruppur District.

7.ISAKKI
Sub-inspector Of Police,
Palladam Police Station,
Thiruppur District.

8.GOVINDARAJAN
Sub-inspector Of Police,
Palladam Police Station,
Thiruppur District.

9.NAVEEN
Police Constable ,
Palladam Police Station,
Thiruppur District.

10.VIJAYAKUMAR
Police Constable ,
Palladam Police Station,
Thiruppur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner dated 12.10.2024 and further directing respondents 1 and 2 to take appropriate action against respondents 5 to 10, who were involved in the assault of the petitioner's son Mr.Thangaraj, Son of Miniyandi, during the police custody on 03.10.2024.



WEB COPY



W.P.No.31576 of 2024

For Petitioner : Mr.P.Pugalenth
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 1 and 2 to consider the representation of the petitioner dated 12.10.2024 and further direct respondents 1 and 2 to take appropriate action against respondents 5 to 10, who were involved in the assault of the petitioner's son Mr.Thangaraj, Son of Miniyandi, during the police custody.

2. The petitioner states that the petitioner's son namely Thangaraj has been confined at Central Prison, Coimbatore as a remand prisoner. It is alleged that the petitioner's son was taken to the police custody and was assaulted with iron rod, resulted in a fracture to his right leg. Therefore, she made a representation dated 12.10.2024 before the respondents 1 and 2 seeking to take appropriate action against the respondents 6 to 10 herein. Since the same has not been considered till date, the petitioner has come forward with this Writ Petition.



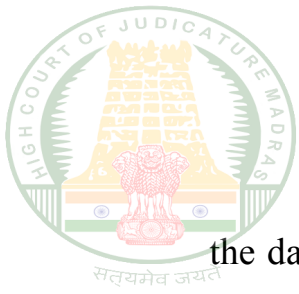
W.P.No.31576 of 2024

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 petitioner in the affidavit filed in support of this Writ Petition, directs the respondents 1 and 2 to consider the representation of the petitioner dated 12.10.2024 seeking to take appropriate action against the respondents 6 to 10 herein, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of two (2) weeks from



W.P.No.31576 of 2024

the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and aggrieved persons, if any.

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

No costs. Consequently, connected miscellaneous petition is closed.

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

06.06.2025

(1/3)

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Anu

To

1.The Secretary To Government,
Home, Prohibition And Excise
Department, Secretariat, Chennai-
600 009.

2.The Director General Of Police
Dgp Office, Mylapore, Chennai-
600 004.

3.The Deputy Inspector General Of
Police
Coimbatore Range, Coimbatore.

M.S.RAMESH, J.



WEB COPY



W.P.No.31576 of 2024

and
V. LAKSHMINARAYANAN, J.

Anu

4.The Superintendent Of Police
Thiruppur District, Thiruppur.

5.The Inspector Of Police
Palladam Police Station, Thiruppur District.

6.J.Lenin Appadurai
Inspector Of Police, Palladam Police Station, Thiruppur District.

7.ISAKKI
Sub-inspector Of Police, Palladam Police Station, Thiruppur District.

8.GOVINDARAJAN
Sub-inspector Of Police, Palladam Police Station, Thiruppur District.

9.NAVEEN
Police Constable , Palladam Police Station, Thiruppur District.

10.VIJAYAKUMAR
Police Constable , Palladam Police Station, Thiruppur District.

11.The Public Prosecutor,
High Court, Madras.

W.P.No.31576 of 2024
and W.M.P.No.34316 of 2024

06.06.2025