



W.P.(Clr.)No.841 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.841 of 2025

Jaya,
W/o Josepraja

... Petitioner

Vs.

The State rep. by its

1. The Deputy Inspector General of Prison,
Coimbatore Zone,
Coimbatore.

2. The Superintendent,
Open Prison, Ondiputhur,
Coimbatore District..

... 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 respondents to grant 21 days of ordinary leave without escort to the detenue, Josepraja, S/o Maria Francis, aged 45 years, bearing Convict No.1264 and PID No.51653 at Open Prison, Ondiputhur, Coimbatore

For Petitioner : Mr.S.Pandiyan

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER



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

This Writ Petition has been filed seeking for a Writ of Mandamus

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to direct the respondents to grant 21 days of ordinary leave without escort to the detenue, Josepraja, S/o Maria Francis, aged 45 years, bearing Convict No.1264 and PID No.51653 at Open Prison, Ondiputhur, Coimbatore

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

3. The petitioner is the wife of the detenu. Though the petitioner has prayed to grant 21 days ordinary leave without escort to the detenu, it is seen from the records that the petitioner has made a representation to the authorities and the same has not been consider 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 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.



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5. Therefore, 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 1st respondent to consider the representation of the petitioner dated 18.08.2025, seeking to grant leave to the detenu/husband, 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.)

16-09-2025

vsi

To

1. The Deputy Inspector General of Prison,
Coimbatore Zone,
Coimbatore.
2. The Superintendent,
Open Prison, Ondiputhur,
Coimbatore District.
3. The Public Prosecutor,
High Court of Madras, Chennai.



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