



W.P.(Clr.)No.855 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-09-2025

CORAM:

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

AND

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

W.P.(CrI.)No.855 of 2025

Vaishnavi

W/o Boobalan

... Petitioner

Vs.

1. The Director General/Inspector General
of Prisons,
Whannels Road, Egmore,
Chennai - 600 008.

2. The Hon'ble Principal Secretary,
Home Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.

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

4. The Superintendent of Prisons,
Central Prison, Palayamkottai,
Tirunelveli 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 transfer the petitioner's husband, undertrial prisoner namely Boobalan, S/o Murugan, confined at Central Prison, Palayakottai



W.P.(Clr.)No.855 of 2025

to the Central Prison, Puzhal, based on the petitioner's representation
dated 26.08.2025.

For Petitioner : Mr.Santhosh.P.

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

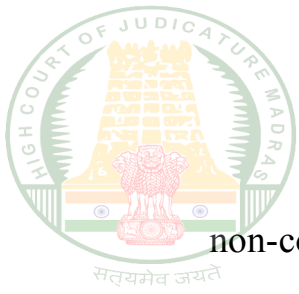
(The order of the Court was made by J.Nisha Banu,J.)

This Writ Petition has been filed seeking to direct the respondents to transfer the petitioner's husband, undertrial prisoner namely Boobalan, S/o Murugan, confined at Central Prison, Palayakottai to the Central Prison, Puzhal, based on the petitioner's representation dated 26.08.2025.

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 26.08.2025 was sent to the respondents to transfer the petitioner's husband, under-trial prisoner namely Boobalan, S/o Murugan, confined at Central Prison, Palayakottai to the Central Prison, Puzhal, 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 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,



W.P.(Clr.)No.855 of 2025

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 the respondent to consider the same within a stipulated time.

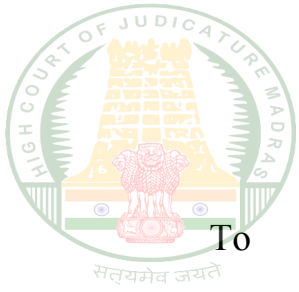
5. In view of the above observation, this Court, without going into the merits of the petitioner's representation or the contentions of the affidavit filed in support of this Writ Petition, directs the 3rd respondent to consider the representation of the petitioner dated 26.08.2025, seeking for transfer of the petitioner's husband, undertrial prisoner, namely Boobalan, S/o Murugan, confined at Central Prison, Palayakottai to the Central Prison, Puzhal, 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.)

17-09-2025

vsi



W.P.(Clr.)No.855 of 2025

To

WEB COPY

1. The Director General/Inspector General
of Prisons,
Whannels Road, Egmore,
Chennai - 600 008.
2. The Hon'ble Principal Secretary,
Home Prohibition and Excise Department,
Secretariat,
Chennai - 600 009.
3. The Superintendent of Prisons,
Central Prison, Puzhal,
Chennai - 600 066.
4. The Superintendent of Prisons,
Central Prison, Palayamkottai,
Tirunelveli District
5. The Public Prosecutor,
High Court of Madras, Chennai.



WEB COPY



W.P.(Clr.)No.855 of 2025

J. NISHA BANU, J.
and
S. SOUNTHAR, J.

vsi

W.P.(Crl.)No.855 of 2025

17-09-2025