



W.P.(Clr.)No.903 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2025

CORAM:

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

AND

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

W.P.(CrI.)No.903 of 2025

Shanthi,
W/o Balan

... Petitioner

Vs.

1. The Deputy Inspector General of Prisons,
Prison Head Quarters, Egmore,
Chennai.

2. The Superintendent of Prison,
Central Prison, 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 respondents to grant 6 days emergency leave by without escort for the petitioner son namely Dheena @ Dinesh S/o Balan aged about 33 years PID.No.34330 Convict Prisoner, Central Prison, Puzhal.

For Petitioner : Mr.S.Nadhiya

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor



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ORDER

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

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This Writ Petition has been filed seeking for a Mandamus to direct the respondents to grant 6 days emergency leave without escort for the petitioner son namely Dheena @ Dinesh S/o Balan aged about 33 years PID.No.34330 Convict Prisoner, Central Prison, Puzhal.

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

3. The petitioner is the mother of the detainee. Her husband passed away in 2001 and her son/detainee has undergone more than 9 years of imprisonment. The petitioner is suffering from knee pain and leg pain and the doctors have advised to undergo knee replacement surgery. Therefore, her son's presence is necessary for her to make arrangements for medical expenses and for emotional support. Therefore, she made representation dated 22.03.2025 to the respondents seeking emergency leave, but 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. 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 22.03.2025, seeking to grant leave to the petitioner, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of two (2) 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 Public Prosecutor,
High Court of Madras, Chennai.



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