

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

W.P.CrI. No. 949 of 2025

1. Sarathy

S/o.Sukumar, No.429, Perumal Koil
Street, Melmanambedu, Vellavedu,
Thiruvallore District

Appellant(s)

Vs

1. State of Tamilnadu Rep by its Secretary
Prohibition and Excise Department, Fort
St.George, Chennai-600 009

2.Director General of Police /
Director General of Jails
Tamilnadu Prison Department, Whannels road,
Ansari Estate, Egmore, Chennai-8

3.The Superintendent of Police
Central Prison, Puzhal

4.The Inspector of Police
Vellavedu Police Station, Avadi, Tiruvallur
Distsrict Cr.No.523 of 2024

Respondent(s)

PRAYER

The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of the Writ of Mandamus directing the respondents to consider the petitioner's representation dated 17.09.2025 and to provide medical treatment to the petitioner's brother namely, Vishwa @ Vimal S/o.Sugumar aged about 24 years in any private hospital.

For Appellant(s): Mr. R.Thamarai Selvan

For Respondent(s): Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The present Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 17.09.2025 seeking to provide necessary medical treatment to the petitioner's brother, namely, Vishwa @ Vimal, S/o.Sugumar, aged about 24 years, in any private hospital.

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

3. 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.

4. In view of the above observation, this Court, without going into the merits of the representation of the petitioner or the contentions of the affidavit filed in support of this Writ Petition, directs respondent Nos.2 and 3 to consider the representation of the petitioner dated 17.09.2025 seeking for necessary medical treatment to his brother, namely, Vishwa @ Vimal, PID No.312518, aged about 24 years, S/o.Sugumar, confined at Central Prison, Puzhal, Chennai, in any private hospital, 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.

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

(J.NISHA BANU J.) (S.SOUNTAR J.)

25-09-2025

ASI

To

1. The Secretary
Prohibition and Excise Department, Fort
St.George, Chennai-600 009.

2. Director General of Police /
Director General of Jails
Tamilnadu Prison Department, Whannels road,
Ansari Estate, Egmore, Chennai-8

3. The Superintendent of Police
Central Prison, Puzhal

4. The Inspector of Police
Vellavedu Police Station, Avadi,
Tiruvallur District Cr.No.523 of 2024.

5. The Public Prosecutor,
High Court of Madras, Chennai.

WP CrI. No. 949 of 2025

**J.NISHA BANU J.
AND
S.SOUNTHAR J.**

ASI

W.P.CrI. No. 949 of 2025

25-09-2025