



W.P.No.4 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

CORAM :

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

W.P.No.4 of 2025

Annavimala

... Petitioner

Vs.

The State represented by its,

1.The Deputy Inspector General of Prison
Coimbatore Zone
Coimbatore 641 018

2.The Superintendent
Coimbatore Central Prison
Coimbatore 641 018

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to grant ordinary leave for 28 days without escort to the detenu, Bhaskar, S/o.Ramasamy, aged 40 years, baring Convict No.24417 at Central Prison, Coimbatore.

For Petitioner : Mr.S.Pandiyan



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For Respondents

: Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

M.S.RAMESH, J.
AND
V.LAKSHMINARAYANAN, J.

This Writ Petition has been filed praying for the issuance of Writ of Mandamus, directing the respondents to grant ordinary leave for 28 days without escort to the detenu, Bhaskar, S/o.Ramasamy, aged 40 years, baring Convict No.24417 at Central Prison, Coimbatore.

2. The petitioner's son is convicted for the offence U/s.120(b), 2302 I.P.C and sentenced to undergo life imprisonment by the learned Sessions Judge at Nagercoil in S.C.No.1/2011, dated 10.04.2017. The petitioner is having properties in her name. Since the petitioner is getting old, she wants to divide her property equally between her sons and hence she needs the presence and assistance of her elder son, who is the convict prisoner herein. Her representation dated 02.05.2025 in this regard to respondents has not been considered till date, the petitioner has



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come forward with this Writ Petition.

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3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

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



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respondents to consider the representation of the petitioner dated 02.05.2025, seeking for ordinary leave to the convict prisoner, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of one (1) week from the date of receipt of a copy of this order and communicate the same to the petitioner.

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

No costs.

[M.S.R, J.]

[V.L.N, J.]

05.06.2025

kas

Index: Yes/No

Neutral Citation

Note: Issue Order Copy on 11.06.2025

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1.The Deputy Inspector General of Prison
Coimbatore Zone
Coimbatore 641 018

2.The Superintendent
Coimbatore Central Prison
Coimbatore 641 018

3.The Public Prosecutor,
High Court of Madras
Chennai 600 104

M.S.RAMESH, J.
AND



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V.LAKSHMINARAYANAN, J.

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