



W.P.(Crl.) No.1049 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(Crl.) No.1049 of 2025

M.Padmavathi,
W/o Manikandan,

... Petitioner

-VS-

1. The Union Territory of Puducherry,
rep. by Chief Secretary,
Secretariat,
Goubest Avenue,
Puducherry.

2. The Secretary to Government,
Home Department,
Government of Puducherry,
Puducherry

3. The Chief Superintendent of Jail,
Government of Puducherry,
Puducherry.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 25.06.2025 and release



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premature for petitioner's husband Mani @ Manikandan son of Sugunaraj, aged 48 years, confined in Sub Jail, Yanam, Puducherry.

For Petitioner : Mr.A.Murugavel

For Respondents : Mr.Mohandoss,
Public Prosecutor(Pondy)

ORDER

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

This Writ Petition has been filed seeking for a direction to the respondents to consider the petitioner's representation dated 25.06.2025 seeking premature release of the petitioner's husband, Mani @ Manikandan, S/o Sugunaraj, aged 48 years, confined in Sub-Jail, Yanam, Puducherry.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor (Pondy) appearing for the respondents.

3. Learned counsel for the petitioner would state though a representation dated 25.06.2025 has been sent to the respondents for premature release of the petitioner's husband, the same has not been considered so far.



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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 affidavit filed in support of this Writ Petition, directs the respondents to consider the representation of the petitioner dated 25.06.2025, seeking for premature release for petitioner's husband, Mani @ Manikandan, S/o Sugunaraj, aged 48 years, confined in Sub Jail, Yanam, Puducherry, 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.



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WEB COPY 6. With the above direction, this Writ Petition stands disposed of. No costs.

(J.N.B.J.,) (S.S.J.,)
13.10.2025

vsi

To

1. The Union Territory of Puducherry,
rep. by Chief Secretary,
Secretariat, Goubest Avenue,
Puducherry.
2. The Secretary to Government,
Home Department, Government of Puducherry,
Puducherry
3. The Chief Superintendent of Jail,
Government of Puducherry,
Puducherry.
4. The Public Prosecutor,
High Court, Chennai.



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