



WEB COPY



W.P.No.39444 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.39444 of 2024

Anjalai

... Petitioner

Vs.

- 1.The Additional Director General of Prison,
Thalamuthu Natarajan Maligai,
Egmore, Chennai- 08.
- 2.The Superintendent of Prison,
Cuddalore Central Prison, (Convict Prisoner)
Cuddalore District.
- 3.The Superintendent of Police,
Villupuram,
Villupuram District.
- 4.The Inspector of Police,
Sankarapuram Police Station,
Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondent to consider the representation dated 14.12.2024 and grant one month's leave to



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the petitioner's husband and detenu namely Ilayaraja S/o.Iyyankutti now confined in Central Jail, Villupuram.

For Petitioner : Mr.S.Kasirajan

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Order of the Court is made by **S.M.SUBRAMANIAM, J.**]

The writ petition has been instituted to direct the respondent to consider the representation dated 14.12.2024 and grant one month's leave to the petitioner's husband and detenu namely Ilayaraja S/o.Iyyankutti now confined in Central Jail, Villupuram.

2. The petitioner states that her husband was arrested by the Sankarapuram Police in Crime No.154 of 2011. Thereafter, on completion of trial, the petitioner's husband was convicted by the Mahila Court (Fast Track Mahila Court) at Villupuram in S.C.No. of 2015 dated 10.03.2022 and sentenced to undergo life imprisonment. The petitioner submitted a representation to the respondents on 14.12.2024, requesting leave. Since the



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respondents have yet to consider the representation, the petitioner has filed this writ petition.

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. Consequently, this Court is justified in invoking its extraordinary powers under Article 226 of Constitution of India and directing the authorities to consider the representation within a stipulated time frame.

4. 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 respondents to consider the representation of the petitioner dated 14.12.2024, seeking one month's leave, 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



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date of receipt of a copy of this order and communicate the same to the petitioner.

5. With the above direction, this Writ Petition stands disposed of. No costs.

[S.M.S., J.] [M.J.R., J.]
02.01.2025

Index : Yes
Neutral Citation : Yes
Speaking order / Non-speaking order

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To

- 1.The Additional Director General of Prison,
Thalamuthu Natarajan Maligai,
Egmore, Chennai- 08.
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5. The Additional Public Prosecutor,
Madras High Court.



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