



W.P.(MD).No.15674 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15674 of 2025

and

W.M.P.(MD)No.11909 & 11911 of 2025

R.Pandiyan

... Petitioner

-vs-

1. The Director General of Prisons and Correctional Service of Tamil Nadu,
Egmore, Chennai - 8.

2. The Superintendent of Central Prison,
Trichy.

3. The Superintendent of Central Prison,
Chengam.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the transfer order passed by 1st respondent in 40201/ES3/2022 dated 27.05.2025 and subsequent relieving order passed by 2nd respondent in File No.CP-TRY/1039/2025-G1(ASST) dated 28.05.2025 and to quash the same and further direct the respondents to restore the petitioner as Chief Head Warder at Central Prison, Trichy.

For Petitioner : Mr.T.S.Mohammed Mohideen

For Respondents : Mr.K.Balasubramani

Special Government Pleader



W.P.(MD).No.15674 of 2025

ORDER

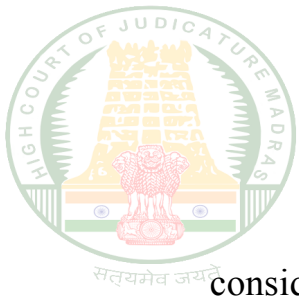
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This writ petition has been filed challenging the transfer order passed by the first respondent in 40201/ES3/2022 dated 27.05.2025 and subsequent relieving order passed by 2nd respondent in No.CP-TRY/1039/2025-G1(ASST) dated 28.05.2025 and also to direct the respondents to restore the petitioner as Chief Head Warder at Central Prison, Trichy.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submits that though larger relief has been sought for by the petitioner, now, he confines the prayer that it would suffice if the representation to be submitted by the petitioner is disposed of in accordance with law.

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 him 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-



W.P.(MD).No.15674 of 2025

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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 the Constitution of India and direct them to consider the same within a stipulated time.

5. Considering the facts and circumstances of this case, the petitioner is directed to make a fresh representation before the respondents, within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the respondents shall consider the same on its own merits and pass appropriate orders, in accordance with law, within a period of six weeks thereafter.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

27.06.2025
(3/4)

NCC : Yes/No
Index : Yes / No
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Note: **Issue order copy on 30.06.2025.**



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W.P.(MD).No.15674 of 2025

VIVEK KUMAR SINGH, J.

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TO:-

1. The Director General of Prisons and Correctional Service of Tamil Nadu,
Egmore, Chennai - 8.
2. The Superintendent of Central Prison,
Trichy.
3. The Superintendent of Central Prison,
Chengam.

Order made in
W.P.(MD)No.15674 of 2025
(3/4)

Dated:
27.06.2025