



W.P.(MD)No.16735 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.16735 of 2025

P.Nagendran

... Petitioner

-VS-

1.The Director General of Prisons and Correctional Services /
Chief of Prison Department, Whannels Road,
Egmore, Chennai - 600 008.

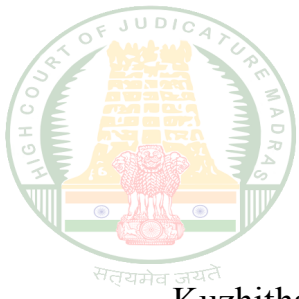
2.The Deputy Commissioner of Prisons and
Correctional Services Department,
Trichy Range,
Trichirappalli and Central Superintendent of Prison,
Trichy.

3.The Superintendent of Prison,
Sub Jail, Karur.

4.The Superintendent of Prison,
Central Prison, Puzhal - 1, Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to re-consider the transfer of the petitioner to the Central Prison, Puzhal – 1, Chennai in Proc. No.Proceeding No.40201/ES-3/2022 dated 27.05.2025 of the first respondent and to post the petitioner at any of the prison / jail nearby to Karur i.e. 1.Sub-Jail



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Kuzhithalai, 2. Sub-Jail, Musiri, 3.Sub-Jail, Thuraiyur, 4.Sub-Jail, Manapparai, 5.Sub-Jail, Paramathivelur, 6.Sub-Jail, Namakkal, considering the petitioner's representation dated 03.06.2025, within a time limit to be fixed by this Court.

For Petitioner : Mr.B.Karunanithi
For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to reconsider the petitioner's transfer to Central Prison, Puzhal – I, Chennai, as per Proceedings No.40201/ES-3/2022 dated 27.05.2025 and to post the petitioner in any of the prisons/jails located in proximity to Karur, namely,

- 1) Sub-Jail, Kulithalai;
- 2) Sub-Jail, Musiri;
- 3) Sub-Jail, Thuraiyur;
- 4) Sub-Jail, Manapparai;
- 5) Sub-Jail, Paramathi Velur; and
- 6) Sub-Jail, Namakkal

by considering the petitioner's representation dated 03.06.2025.



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2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he was appointed as a Grade-II Warder through TNUSRB and joined service at Central Prison, Cuddalore on 25.03.1988. He was promoted as a Grade-I Warder in 2014 and thereafter promoted as Chief Head Warder in 2018, serving at various prisons including Kuzhithurai Sub-Jail and now at Karur Sub-Jail since January 2020, with an unblemished service record.

4. It is further submitted that the petitioner's son and daughter have secured admission for the academic year 2025–2026 in B.E. and B.Sc. (Agriculture) courses respectively, at colleges near Karur District and the tuition fees have already been paid. The petitioner's wife is a Government School Teacher working at Thammanayakkanpatti, Karur District and is undergoing medical treatment for diabetes and urinary complications, which requires the petitioner's presence and assistance at Karur.



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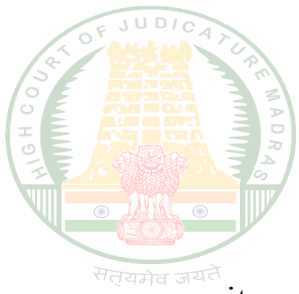
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5. In view of these compelling family, educational and medical grounds, the petitioner made a representation dated 03.06.2025 requesting cancellation or reconsideration of his transfer to Central Prison, Puzhal – I, Chennai, as per Proceedings No.40201/ES-3/2022 dated 27.05.2025 and sought a posting at any of the sub-jails near Karur, such as Kulithalai, Musiri, Thuraiyur, Manapparai, Paramathi Velur, or Namakkal.

6. It is submitted that the petitioner was relieved from Sub-Jail, Karur on 28.05.2025 and was required to join duty at Puzhal on 11.06.2025 or 12.06.2025, but due to the genuine personal difficulties enumerated above, he is unable to report for duty at the transferred station. Therefore, the present writ petition is filed seeking a direction to the respondents to reconsider the transfer order and to accommodate the petitioner at a nearby jail, in the interest of justice and fairness.

7. Heard both sides.

8. 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



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

9. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 03.06.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

10. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No

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- 1.The Director General of Prisons and Correctional Services /
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- 2.The Deputy Commissioner of Prisons and
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VIVEK KUMAR SINGH, J.

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