



W.P.Crl.(MD)No.2329 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 02.12.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.Crl.(MD)No.2329 of 2025

Selvaraj

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Additional Chief Secretary to Government,
Home, Prohibition, and Excise Department,
Secretariat, Chennai – 600 009.

2.The State of Tamil Nadu,
Rep. by the Director General of Police &
Director General of Prisons and Correctional Services,
Whannels Road, Egmore,
Chennai – 600 008.

3.The State of Tamil Nadu,
Rep. by the Superintendent of Prison,
Ramanathapuram District Prison,
Ramanathapuram – 623 518.

4.Jayaseelan

5.Venkataraman

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing respondent Nos.1 to 3 to consider the representation of the petitioner dated 13.11.2025 and further,



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directing respondent Nos.1 to 3 to take appropriate action against respondent Nos.4 and 5, who were involved in the caste-based custodial harassment of his son.

For Petitioner : Mr.N.Thamizhanban,
Advocate

For R1 to R3 : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Criminal Side)

ORDER

This Writ Petition has been filed to direct respondent Nos.1 to 3 to consider the petitioner's representation dated 13.11.2025 and direct respondent Nos.1 to 3 to take appropriate action against the 4th and 5th respondents, who were involved in the caste-based custodial harassment of the petitioner's son.

2. This writ petition is disposed of at the admission stage, after dispensing with the notice on the private respondents.

3. It is the case of the petitioner that the petitioner's son, one Balakrishnan, is presently confined as a remand prisoner in connection with Crime No.17 of 2018. During every prison visit, the petitioner observed that his son appeared frightened, mentally disturbed, and unable to speak freely in the presence of prison authorities. Only during private conversations, the petitioner's son revealed that the 4th and 5th respondents, who are jailers of the



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concerned prison, had repeatedly been harassing and humiliating him on caste lines. Consequently, the petitioner submitted a detailed representation to respondents 1 to 3 seeking action against respondents 4 and 5. However, no action has been taken against them so far.

4. Heard the learned counsel on either side, and have perused the materials available on record.

5. 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 respondent 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 made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6. Without going into the merits of this case, this Court hereby direct respondent Nos.1 to 3 to consider the petitioner's representation dated 13.11.2025 and pass appropriate orders on merits and in accordance with law within a period of two (2) weeks from the date of receipt of a copy of this order.



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7. With the above directions, this Writ Petition is disposed of.

02.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

1.The Additional Chief Secretary to Government,
Home, Prohibition, and Excise Department,
Secretariat, Chennai – 600 009.

2.The Director General of Police &
Director General of Prisons and Correctional Services,
Whannels Road, Egmore,
Chennai – 600 008.

3.The Superintendent of Prison,
Ramanathapuram District Prison,
Ramanathapuram – 623 518.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

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