

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 26657 of 2026

AND

WMP NO. 29456 OF 2026

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R.Revathi (WHC 1747)

..Petitioner(s)

Vs

1. The Additional Chief secretary to the
Government
Home Department
Fort St.George,
Chennai
2. The Director General of Police
Kamarajar salai
Chennai-600 004
3. The Superintendent of police
District Police Office
Namakkal District

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records of the 3rd respondent in order dated 19.6.2026 bearing Na.Ka.No.L-2/438/E-14236427/2026 and quash the same as arbitrary illegal and without any basis and consequently direct the 1st and 2nd



respondents to grant maternity leave to the petitioner from 14.7.2026 to 13.7.2027.

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For Petitioner(s): Mr. Abinesh Babu

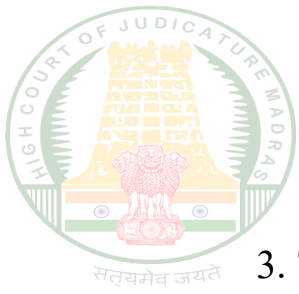
For Respondent(s): Mr.K.Sathish
Government Advocate

ORDER

This Writ Petition has been filed for the following relief:-

“To issue a writ of certiorarified mandamus calling for the records of the 3rd respondent in order dated 19.6.2026 bearing Na.Ka.No.L-2/438/E-14236427/2026 and quash the same as arbitrary illegal and without any basis and consequently direct the 1st and 2nd respondents to grant maternity leave to the petitioner from 14.7.2026 to 13.7.2027.”

2. The petitioner would submit that she had joined the service as a Women Police Constable on 01.03.2009 and is presently working as a Head Constable in All Women’s Police Station a Namakkal Police Station.



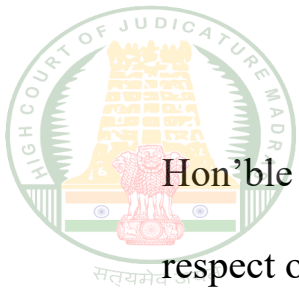
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3. The petitioner would submit that she got married in the year 2015 and was blessed with two children born on 12.2015 and 12.12.2018. She is presently pregnant with her third child and is due to deliver shortly.

4. The petitioner would further submit that on 19.06.2026, she had submitted a representation to the 3rd respondent, through proper channel, seeking maternity leave in the light of the G.O. (Ms.) No.18, Human Resources Management Department, dated 13.03.2026. However, the same was rejected by the 3rd Respondent vide proceedings in Na.Ka.L-2/438/E-14236427/2026 dated 19.06.2026 on the ground that maternity leave cannot be granted for the third child. Challenging the same, the petitioner is before this Court.

5. Heard the learned counsel on either side and perused the records.

6. It is seen that the 3rd respondent while passing the impugned order had failed to take into consideration the law laid down by the Hon'ble Supreme Court in the case of ***K. Uma Devi Vs. The Government of Tamil Nadu and Others***, reported in ***2025 SCC OnLine SC 1204***, wherein the

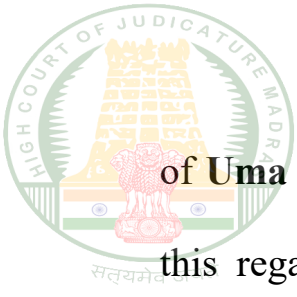


Hon'ble Supreme Court extended the benefit of maternity leave even in respect of the third child.

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7. Further, in pursuance of the judgment of the Hon'ble Supreme Court in *Uma Devi's case* cited supra, the Government of Tamil Nadu had issued G.O. (Ms.) No.18, Human Resources Management Department, dated 13.03.2026, amending the Fundamental Rules to extend the benefit of maternity leave to married women Government servants in respect of their third child. However, the duration of such leave has been restricted to 12 weeks (three months). The Division of this Court in W.P.No.40841 of 2025 dated 24.06.2026 held that in view of G.O. (Ms.) No.18, Human Resources Management Department, dated 13.03.2026, maternity leave in respect of the third child shall be governed by the amended Fundamental Rules. Accordingly, a married woman Government servant having two or more surviving children is entitled only to 12 weeks' maternity leave for the third child.

8. In view of the above, the impugned order dated 19.06.2026 passed by the 3rd respondent is quashed. The 3rd respondent is directed to implement the dicta laid down by the Hon'ble Supreme Court in the case



of **Uma Devi** cited supra and the subsequent Government Order issued in this regard, namely G.O. (Ms.) No.18, Human Resources Management Department, dated 13.03.2026, and grant maternity leave to the petitioner for the period prescribed therein. The learned counsel for the petitioner would also agree that the duration of maternity leave for the third child has been reduced to 12 weeks, as per G.O. (Ms.) No.18, Human Resources Management Department, dated 13.03.2026.

9. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

13-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SRN



To
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WP No. 26657 of 2



P.T.ASHA J.

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