

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.35294 of 2015

and

M.P.No.1 of 2015

S.Anitha Priya Kumari ... Petitioner

vs.

- 1.The Government of Tamil Nadu,
rep. by its Secretary,
Personnel & Administration Reforms,
(FR.III) Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Director of School Education,
D.P.I.Compound,
Nungambakkam,
Chennai - 600 006.
- 3.The Chief Educational Officer,
Office of the Chief Educational Officer,
Kancheepuram District,
Kancheepuram.
- 4.The District Educational Officer,
Office of the District Educational Officer,
Kancheepuram District,
Kancheepuram.
- 5.The Correspondent,
M/s.Anderson Higher Secondary School,
Kancheepuram,
Kancheepuram District - 631 501. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 2 and 3 herein to approve the maternity leave benefits sought for by the petitioner for the period from

18.07.2015 to 13.01.2016 as per the requisition made to Respondent No.5 dated 27.07.2015 in terms of the Government Order Letter No.13965/FR.3/2015 dated 20.04.2015 and grant the attendant benefits, salary etc.,.

For petitioner : Mrs.G.Thilakavathi

For respondents 1 to 4 : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

ORDER

By consent, the Writ Petition is taken up for final disposal.

2. This Writ Petition has been filed praying to issue a Writ of Mandamus directing the respondents 2 and 3 herein to approve the maternity leave benefits sought for by the petitioner in terms of the Government Order Letter No.13965/FR.3/2015 dated 20.04.2015 and grant the attendant benefits, salary etc.,.

3. In the affidavit filed in support of the Writ Petition, the petitioner would state that she was appointed and functioning as a B.T.Assistant in English under the fifth respondent management and in respect of a dispute towards acquiring T.E.T. qualification, a Writ Petition was filed in W.P.No.25068 of 2013 and based on the order therein, a temporary approval was granted to the petitioner. The petitioner would further state that on 19.07.2015, she applied for maternity leave for 180 days, to the fifth respondent, which was forwarded to the fourth respondent. She would further state that a similarly placed person, namely, Smt.Helen Angel, a B.T.Assistant in Tamil, working at Corley Higher Secondary School at Tambaram, had been granted the maternity leave benefit. However, the petitioner's representation dated 27.7.2015 is yet to be considered. Hence the present Writ Petition.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 4.

5. This Court, considering the limited scope of prayer sought for by the petitioner and without going into merits of the same, directs the fourth respondent to consider the representation of the petitioner dated 27.7.2015 in the light of the Government Order Letter No.13965/FR.3/2015 dated 20.04.2015 and pass orders on merits and in accordance with law, within a

period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of accordingly. No costs. The connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

asvm

To

- 1.The Secretary,
The Government of Tamil Nadu,
Personnel & Administration Reforms,
(FR.III) Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Director of School Education,
D.P.I.Compound,
Nungambakkam,
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Kancheepuram.
- 5.The Correspondent,
M/s.Anderson Higher Secondary School,
Kancheepuram,
Kancheepuram District - 631 501.

+1 cc to Government Pleader, sr.60713

+1 cc to Mr.G.Thilakavathi, Advocate, sr.60085

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