



W.P(MD)No.8425 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.04.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8425 of 2023

E.Gayathri

... Petitioner

Vs.

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

2.The Director General of Police,
Head of Police Force,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.

3.The Director of Tamil Nadu Police Academy,
Oonamancheri, Vandaloore,
Chennai – 600 127.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent i.e., the Additional Chief Secretary to Government, Home, Prohibition and Excise Department, Chennai to pass appropriate orders on the petitioner's representation dated 20.02.2023 regarding sanction of Maternity Leave and payment of monetary benefit for the petitioner for



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the period from 01.09.2021 to 18.08.2022 since she has been serving in the police department during the above mentioned period and as per G.O.Ms.No.84 Human Resources Management (FR-III) Department dated 23.08.2021, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.T.Vilavankothai,
Addl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The petitioner was appointed as Deputy Superintendent of Police. Subsequently, she has been transferred and posted as Deputy Registrar of Co-operative Society. The petitioner availed maternity leave when she was Deputy Superintendent of Police. The petitioner seeks sanction of the same and payment of the corresponding monetary benefit for the said period. It is seen that the third respondent had already sent necessary proposal to the second respondent. The second respondent is yet to pass order therein. That led to the filling of this writ petition.



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3.The entitlement of the petitioner as per the petition mentioned government order does not appear to be in doubt. The second respondent is therefore directed to pass appropriate order sanctioning maternity leave and also ensuring disbursement of the monetary benefits to the petitioner for the period to which she is entitled to. Such an order shall be passed by the second respondent within a period of eight weeks from the date of receipt of a copy of this order.

4.This writ petition is allowed. No costs.

27.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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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,
Head of Police Force,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.
- 3.The Director of Tamil Nadu Police Academy,
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G.R.SWAMINATHAN, J.

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