



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2025

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THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

WP No. 6353 of 2025

S.Lakshmi

W/o R.Isakkimuthu.

Petitioner

Vs.

1. The Additional Chief Secretary
Revenue And Disaster Management
Department Secretariat
Fort St.George Chennai.

2.The District Collector
Office of the District Collector
Thiruppur District Thiruppur.

3.The Tahsildar
Office of the Tahsildar
Tharapuram Taluk Thiruppur District

Respondents

PRAYER: This writ petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the entire records connected with the rejection of maternity leave in Na.Ka.No.17882/2024/A4 dated 23.09.2024 passed by the respondent No.2 and quash the same consequently directing the respondents to grant the petitioner maternity leave and its benefits to her within the time stipulated by this Court.

For Petitioner

Mr.S.Malaikani

For Respondents

Mr.S.Yashwanth, AGP



ORDER

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This writ petition has been filed in the nature of a Certiorarified Mandamus calling for the records relating to an order rejecting the grant of maternity leave to the petitioner in Na.Ka.No.17882/2024/A4, dated 23.09.2024, passed by the second respondent/the District Collector, Thiruppur. and quash the same and direct the respondents to grant maternity leave and also extend service and monetary benefits to her.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner had joined as typist on 11.02.2021 in the office of the third respondent, the Tahsildar, Tharapuram District. Her probation was declared on 18.04.2023. She already had two daughters before she joined the duty. After she joined the duty, she had conceived and took leave and applied for leave on and from 05.09.2024 before the third respondent. This application seeking leave was forwarded to the second respondent/the District Collector, Thiruppur. This was rejected by the second respondent on 23.09.2024.



3. I am not impressed with the nature of the order passed by the District Collector, Thiruppur. The District Collector should understand that he cannot interfere and dictate how life should be led by a woman, particularly, after marriage or even before marriage. He must respect the privacy of every woman working under him. There cannot be an argument put forth that merely because the petitioner is in her family way for the third child, she should be denied with maternity leave and monetary benefits. That is a poor argument and is rejected by the Court. The petitioner must be extended with leave on and from 18.10.2024 till 17.10.2025 as it is normally extended for any woman employee to go on maternity leave. The petitioner is entitled for all the service and monetary benefits in that particular period. The District Collector should understand that as the Head of the Administration in that district, he has a duty to protect the welfare of every employee, who is functioning in Thiruppur District.

4. The impugned order is set aside. A direction is given to grant leave on and from 18.10.2024 till 17.10.2025, together with service and monetary



benefits, which would include continuity of service and payment of salary as the petitioner would have obtained, if she had been in duty. Necessary orders in this regard should be passed within a period of two weeks from the date of receipt of a copy of this order.

5.The writ petition stands disposed of. No Costs. Consequently, connected miscellaneous petitions, if any, are also closed.

07-04-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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Revenue And Disaster Management
Department Secretariat Fort St. George
Chennai

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3. The Tahsildar
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