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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2025

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.13784 of 2025

C.Poongodi

.. Petitioner

Vs.

1.The Principal Secretary to Government,
Social Welfare and Women Empowerment Department,
Secretariat, Fort St. George,
Chennai – 600 009.

2.The Director cum Social Welfare Commissioner
Commissionerate of Social Welfare and Women Empowerment
Lady Willingdon College Campus,
Kamarajar Salai,
Chennai – 600 005.

3.The Director cum Mission Director
Integrated Child Development Services Scheme,
Tharamani, Chennai – 600 113.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to issue no objection certificate for permitting the petitioner to go abroad pursuant to the medical report of the petitioner's daughter to attend her delivery in the month of July, 2025 in USA and also to grant leave from 16.06.2025 to 29.08.2025



pursuant to the petitioner's requisition letter dated 14.03.2025 and 04.04.2025 within a week.

For Petitioner .. Mr.U.Karunakaran

For Respondents .. Mr.P.Vijaya Devi, Govt. Advocate

ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking a direction to the respondents to issue No Objection Certificate and permit the petitioner to go abroad to attend the delivery of her daughter, who is expected to delivery a child in July 2025 at USA. The petitioner also seeks leave from 16.06.2025 till 29.08.2025. The petitioner had given requisitions on 14.03.2025 and again on 04.04.2025.

2.In the affidavit filed in support of the writ petition, it had been contended that the petitioner is now working as District Project Officer, ICDS, Social Welfare Department, Dindigul District under the control of the 3rd respondent. Her elder daughter who was married in the year 2020 is now expected to deliver a child in July 2025 at USA. As a mother, there is a natural expectation that it would only appropriate that the petitioner is with her daughter



during that particular period. The petitioner had sought permission to go abroad.

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3. But however, the respondents have raised an objection that a charge memo under Rule 17(B) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules is pending. But, that should not be a ground to prevent the petitioner from going abroad. As a passport holder, she has a right to go abroad. The only safeguard which the respondents can impose is for an undertaking to be given by the petitioner giving the dates on which when she is expected to go and return and giving the address where she would be staying with the daughter. The respondents may call upon the petitioner to disclose all these details and thereafter, issue a No Objection Certificate. The said No Objection Certificate to be issued within a period of 10 days from the date on which the petitioner furnishes the particulars as sought by the respondents.

4. With the above observations, this Writ Petition stands disposed of. No costs.

17.04.2025

Index: Yes/No
Internet: Yes/No
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- To
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C.V.KARTHIKEYAN,J.

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