



W.P.No.24213 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.24213 of 2025

M.Inool Jariya

... Petitioner

Vs.

- 1.The Secretary,
Health and Family Welfare Department
Fort St. George,
Chennai – 600 009.
- 2.The Director,
Directorate of Medical Education,
Poonamallee High Road, Kilpauk,
Chennai – 600 010.
- 3.The Director,
Medical and Rural Health Service,
D.M.S Campus, Teynampet,
Chennai – 600 006.
- 4.The Additional Director of Nursing Services,
Director of Medical & Rural Health Services,
DMS Complex, Teynampet,
Chennai – 600 006.
- 5.The Associate Director,
Rural Welfare Works,
166, North Coast Road,
Thoothukudi District – 628001.



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6. The Medical Officer,
Government Hospital,
Ottapidaram,
Thoothukudi District – 628401.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the claim of the petitioner and direct to pay the arrears of salary benefit for her two Maternity leave based on the petitioner's representation dated 05.04.2025, within reasonable time.

For Petitioner : M/s.P.Anuradha
for M/s.S.Selvaraju

For Respondents : Mr.K.Tippu Sultan
Government Advocate

ORDER

By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition has been filed with a prayer for issuing a Mandamus, directing the respondents to consider the claim of the petitioner and direct to pay the arrears of salary benefit for her two Maternity leave based on the petitioner's representation dated 05.04.2025, within reasonable



3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned counsel for the petitioner would submit that the petitioner was appointed as a Staff Nurse under the BCM Category on contractual basis and she has joined Government Service on 10.01.2017 at 6th Respondent/Government Hospital. Thereafter, she got married in the year 2012 and she has availed Maternity Leave for a period of 9 months from 11.07.2020 to 07.04.2021 for her first delivery. Further, she has availed Maternity Leave for one year from 01.09.2023 to 30.08.2024 for her second delivery. Though the petitioner had joined duty on 31.08.2024, her maternity salary benefits were not paid by the respondents. In this connection, she has given a representation on 05.04.2025 before the respondents to get the arrears of Maternity Leave Benefits and also the Annual Salary increment and such representation is pending with the respondents.

5. At this juncture, the learned Government Advocate appearing for the



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respondents would fairly submit that they would consider the petitioner's representation according to its own merits, within a reasonable time.

6. In such view of the submission, without going into the merits of the writ petition, this Court deems it appropriate to direct the respondents to consider the petitioner's representation dated 05.04.2025 and pass orders on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

04.07.2025

Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
dm



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C.KUMARAPPAN, J.

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