



WEB COPY



W.P.No.25487 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.25487 of 2025

M. Nithya

... Petitioner

Vs.

The Director of Sericulture,
Department of Sericulture,
Salem - 636 007 .

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to revise the date of declaration of probation as 28/02/2018, instead of 25/11/2018 AN, and consequently promote the petitioner to the post of Inspector of sericulture with effect from date on which her juniors were promoted, with all attendant benefits including seniority and monetary entitlement. and pass such orders accordingly.



WEB COPY



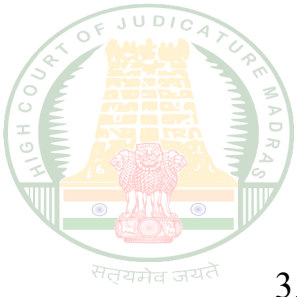
W.P.No.25487 of 2025

For Petitioner : Mr.J. Pradeep
For Respondent : Mr.G. Nanmaran
(Special Govt. Pleader)

ORDER

The present Writ petition has been filed to consider the petitioner's maternity leave for the purpose of declaring probation.

2.The learned counsel for the petitioner would submit that the petitioner is appointed as Assistant Inspector of Sericulture on 28.02.2016 and she has taken maternity leave between 25.12.2017 and 09.09.2018. However, her probation was declared on 25.11.2018 instead of 28.02.2018 without taking into consideration of the maternity period of the petitioner to declare her probation. Further, the learned counsel also invited the attention of this Court of the Single Judges' order dated 05.01.2022 in W.P. No.19426 of 2016 and 03.04.2024 in W.P.(MD) No.4574 of 2021. It has been further submitted that the Maternity benefit Act is the welfare legislation which intends to extend benefits to the employees who avail maternity leave, without loss of any service benefit including seniority.



W.P.No.25487 of 2025

WEB COPY

3. At this Juncture, the special Government pleader would submit that the Government has passed G.O on.28.05.2025 wherein the maternity leave is also allowed to take into consideration for the purpose of declaration of probation whereas such benefits would be extended only who are in Maternity leave from 28.05.2025 and could not be extended to those candidates took maternity leave prior to 28.05.2025. However, the Special Government Pleader would submit that the petitioner's representation would be considered according to its own merit in accordance with Law.

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

5. In such view of the Special Government Pleader submission, without going into merits of the writ petition, this Court deems it appropriate to direct the respondents to consider the petitioner's representation according to its own merit in accordance with Law within a period of six weeks from the date of receipt of copy of this order.



WEB COPY



W.P.No.25487 of 2025

C.KUMARAPPAN, J.

Lbm

6. With the aforesaid direction, the Writ petition is disposed of.

14.07.2025

Lbm

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

The Director of Sericulture,
Department of Sericulture,
Salem - 636 007 .

W.P.No.25487 of 2025

14.07.2025