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W.P.No.47359 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE SHAMIM AHMED

W.P.No.47359 of 2025

Rameela .. Petitioner

Vs.

1. The Registrar General
High Court of Madras
Chennai – 600 002.

2. The Registrar (Management)
High Court of Madras
Chennai – 600 003.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of certiorarified mandamus, calling for the records relating to the impugned order passed by the second respondent in her proceedings in Roc.No.34704/2025-Estt.IV dated 03.10.2025 and quash the same and consequently direct the respondents to grant the petitioner's maternity leave for her third confinement for a period of one year i.e. From 19.08.2025 to 18.08.2026, by annulling the existing extraordinary leave (loss of pay) availed by the petitioner for a period of 19.08.2025 to 08.02.2026.

For the Petitioner : Mr.M.Dinesh

For the Respondents : Mr.D.Prabhu Mukunth Arunkumar



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ORDER

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(Order of the Court was made by R.SURESH KUMAR, J.)
Prayer sought herein is for a writ of certiorarified mandamus,

calling for the records relating to the impugned order passed by the second respondent in her proceedings in Roc.No.34704/2025-Estt.IV dated 03.10.2025 and quash the same and consequently direct the respondents to grant the petitioner's maternity leave for her third confinement for a period of one year i.e. from 19.08.2025 to 18.08.2026, by annulling the existing extraordinary leave (loss of pay) availed by the petitioner for a period of 19.08.2025 to 08.02.2026.

2. The petitioner is a staff of the respondents and she is, at present, in the family way, that is, her third pregnancy. When she sought maternity leave for a period of one year with salary, by quoting the provisions of Rule 101(a) of the Fundamental Rules it has been rejected by the order passed by the second respondent through the communication dated 03.10.2025.

3. Heard *Mr.M.Dinesh*, learned counsel for the petitioner and *Mr.D.Prabhu Mukunth Arunkumar*, learned counsel for the respondents.



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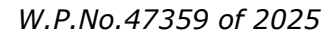
4. Insofar as availing of the maternity leave by the pregnant woman, even for beyond two pregnancies, that is the third pregnancy in the present case, whether she would be entitled to get such benefit of maternity leave or not has already been considered by a Division Bench of this Court in the case of **B.Ranjitha vs. The Registrar General, High Court of Madras and Ors.**¹

5. Though *Mr.D.Prabhu Mukunth Arunkumar*, learned counsel for the respondents has made some attempts to distinguish the judgment of the Hon'ble Supreme Court of India in the case of **Umadevi vs. Government of Tamil Nadu and Ors.**², we are not impressed with the said submission made by the learned counsel appearing for the respondents for the reason that, as there is no distinguishable facts available here and moreover, the only issue to be decided is whether the petitioner, being a pregnant woman with third pregnancy, is entitled to get the benefit of maternity leave or not.

6. As the very same issue has been decided in a number of cases, especially in the Division Bench judgment in the case of **B.Ranjitha** (cited *supra*), we are in complete agreement with the

1 W.P.No.33559 of 2025; Dated: 04.09.2025.

2 2025 SCC OnLine SC 1204



7. Therefore, we are in firm view that the present impugned refusing such relief sought by the petitioner is unjustifiable as a result of which, the impugned order is liable to be set aside, accordingly, it is set aside and the writ petition is allowed by giving a direction to the respondents to sanction the maternity leave to the petitioner for the third pregnancy along with all available benefits, including salary. The needful shall be done by passing an order in this regard by the respondents within a period of two months from the date of receipt of a copy of this order.

8. With these directions, the writ petition is allowed. There shall be no order as to costs. Consequently, W.M.P.No.52868 of 2025 is closed.

Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
Internet:Yes/No
Index:Yes/No

(*drm*)



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To:

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1. The Registrar General
High Court of Madras
Chennai – 600 002.
2. The Registrar (Management)
High Court of Madras
Chennai – 600 003.



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R. SURESH KUMAR, J.
AND
SHAMIM AHMED, J.

(drm)

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