



W.P.(MD).No.16242 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.16242 of 2025

S.Rajalakshmi

... Petitioner

-VS-

1. The Additional Chief Secretary,
Health and Family Welfare Department,
Secretariat,
Fort St.George,
Chennai.

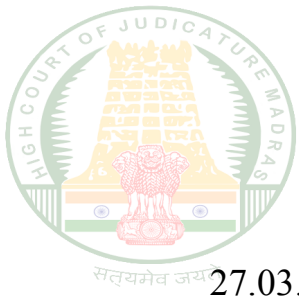
2. The Director of Medical Education,
Office of the Director of Medical Education ,
E.V.R. Road,
Kilpauk, Chennai.

3. The Dean,
Government Medical College Hospital,
Thanjavur.

4. The Administrative Officer,
Government Medical College Hospital,
Thanjavur.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider the medical leave taken by the petitioner during the period between 01.10.2024 and



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27.03.2025, 29.03.2025 to 17.05.2025 and 24.05.2025 to 02.06.2025 as maternity leave and consequently directing the respondents to grant maternity leave from 03.06.2025 to 07.10.2025 and its benefits to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.S.Malaikani

For Respondents : Mr.K.Balasubramani

Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents to consider the medical leave taken by the petitioner during the period between 01.10.2024 and 27.03.2025, 29.03.2025 to 17.05.2025 and 24.05.2025 to 02.06.2025 as maternity leave and consequently directing the respondents to grant maternity leave from 03.06.2025 to 07.10.2025 and its benefits to the petitioner within the time stipulated by this Court.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submits that though larger relief has been sought



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for by the petitioner, now, she confines the prayer that it would suffice if the representation submitted by the petitioner dated 03.06.2025 is disposed of in accordance with law.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In view of the above, this Court directs the second respondent to consider the representation submitted by the petitioner dated 03.06.2025 and dispose of the same, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.



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6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

18.06.2025

NCC : Yes/No
Index : Yes / No
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TO:-

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VIVEK KUMAR SINGH, J.

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Order made in
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