



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 23064 of 2026

AND

WMP NO. 24986 OF 2026

N.Mahalakshmi

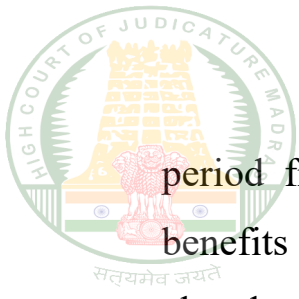
..Petitioner(s)

Vs

1. Government Of Tamil Nadu
Rep. by Principal Secretary to Government,
Home Department,
Secretariat, Chennai 09
2. The Director of Elementary Education
DPI Campus,
Chennai 6
3. The District Elementary Educational Officer
Ponneri Education District,
Ponneri
4. The Block Educational officer
Poonamallee Block,
Thiruvallur District

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, seeking writ of certiorarified mandamus calling for the records relating to the order of 4th respondent by in his proceedings in Na.Ka.No.686/ Aa1/2026 dated 01.06.2026 to quash the same, consequently direct the respondents to sanction maternity leave for the



period from 03.02.2026 to 02.02.2027 with full pay and all attendant benefits in the light of WP No. 16425 of 2026 and treat the medical leave already taken by the petitioner as Maternity leave.

For Petitioner(s): Mr. P.Murali

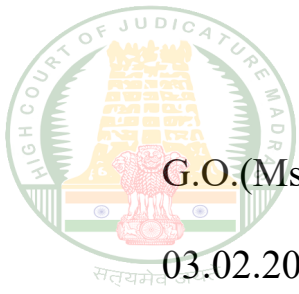
For Respondent(s): Mr. L.Gokulraj
Government Advocate

Order

This writ petition is filed for the following relief:

“To call for the records relating to the order of 4th respondent by in his proceedings in Na.Ka.No.686/ Aa1/2026 dated 01.06.2026 to quash the same, consequently direct the respondents to sanction maternity leave for the period from 03.02.2026 to 02.02.2027 with full pay and all attendant benefits in the light of WP No. 16425 of 2026 and treat the medical leave already taken by the petitioner as Maternity leave.”

2. The petitioner was appointed as a Secondary Grade Teacher on 08.01.2002 through employment exchange and posted at Thiruvallur District. The petitioner would submit that after joining service two children were born. Thereafter, she conceived again and delivered a male child on 22.02.2026. The petitioner applied for maternity leave as per



G.O.(Ms) No.84 dated 23.08.2021 seeking leave for the period from 03.02.2026 to 02.02.2027. However, the 4th respondent, by proceedings dated 01.06.2026, rejected the request on the ground that the petitioner already has two children and there is no provision for grant of maternity leave for the third child. Challenging the said order, the present writ petition has been filed.

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

4.The issue is no longer res integra. In the case of ***Umadevi Vs Government of Tamil Nadu (2025) SCC Online 1204***, the Hon'ble Supreme Court had held that denying maternity leave for the third child was unconstitutional. Further, the judgment in ***Uma Devi's case*** has been followed by the Division Bench of this Court in ***W.P.No.705 of 2026***. The Division Bench of this Court, taking note of the above referred ***Uma Devi's case*** and other Bench judgments, had observed as follows in Paragraph 10.

“That the impugned order is set aside. As a sequel, there shall be a direction to the respondents to extend the benefit of



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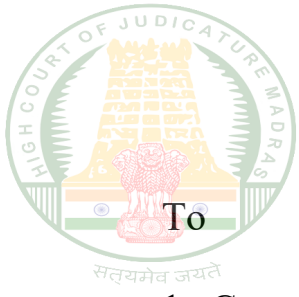
Maternity Leave to the writ petitioner as per her entitlement especially for a period between 08.08.2025 to 07.08.2026 with all attendant and service benefits available to the employee concerned and necessary orders to that effect be passed by the respondents within a period one week from the date of receipt of a copy of this order.”

5. The above said judgment squarely applies to the facts of the present case. Consequently, the order dated 01.06.2026 is quashed and the writ petition is allowed. The respondents are directed to extend the benefit of Maternity Leave to the writ petitioner as per her entitlement especially for the period between 03.02.2026 to 02.02.2027 with all attendant and service benefits. No costs. Consequently, connected miscellaneous petition is closed.

23-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KAN



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Home Department,
Secretariat, Chennai 09
2. The Director of Elementary Education
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P.T.ASHA J.

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