



WEB COPY

WP No. 50527 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 50527 of 2025

C. Gayathri
W/o. M.Gunasekaran, No. 14/257/D
East Street, Kariyampatti, Nilakottai,
Silukkuvarpatti, Dindigul District 624
215

Petitioner(s)

Vs

1. The State Of Tamil Nadu
Rep. by its Principal Secretary to
Government, Human Resources
Management (S) Department, Fort
St.George, Chennai 09
- 2.The Director Of School Education
Directorate Of School Education, DPI
Campus, College Road, Chennai-600
006
- 3.The Chief Educational Officer
Office of the Chief Education office,
Ariyalur District 621 704
- 4.The Headmaster
Government Higher Secondary School,
Kamarasavalli, Ariyalur District
621 715

Respondent(s)



PRAYER:

Writ Petition filed under Section 226 of the Constitution of India, seeking to issue a Writ of Mandamus, directing the respondents 3 and 4 to consider and dispose of the representation of the petitioner dated 29.11.2025, pursuant to G.O.Ms.No.21, Human Resources Management (S) Department, dated 28.05.2025, by granting maternity leave to the petitioner from 01.12.2025 to 30.11.2026.

For Petitioner(s): C. Uma

For Respondents: Mr.M.Rajendiran
Additional Government Pleader
for R1
Ms.Mythreye Chandru
Special Government Pleader for
R2 to R4

ORDER

This Writ Petition has been filed seeking to direct the respondents 3 and 4 to consider and dispose of the representation of the petitioner dated 29.11.2025, pursuant to G.O.Ms.No.21, Human Resources Management (S) Department, dated 28.05.2025, by granting maternity leave to her from 01.12.2025 to 30.11.2026.

2. Mr.M.Rajendiran, learned Additional Government Pleader takes notice on behalf of the first respondent. Ms.Mythreye Chandru, learned Special Government Pleader takes notice on behalf of the respondents 2 to 4.



3. The case of the petitioner is that she was married to one M.Gunasekaran on 20.05.2015 and has begotten two children. Thereafter, she again became pregnant. Meanwhile, she applied for the post of P.G. Teacher (Mathematics) and was appointed as P.G. Teacher (Mathematics) on 08.09.2025 in a Government Higher Secondary School during her seventh month of pregnancy. As the Doctor advised her to take rest, the petitioner made a representation dated 29.11.2025 to the third respondent, seeking maternity leave from 01.12.2025 to 30.11.2026 with maternity benefits. However, the same has not been considered till date and therefore, the present Writ Petition has been filed.

4. Learned Counsel appearing for the petitioner submits that this Court vide order dated 16.12.2025 in W.P.No.48178 of 2025 has held that a Government employee would be entitled for maternity leave even for the birth of a third child, by virtue of the decision of a Division Bench of this Court in W.P.No.33559 of 2025 dated 04.09.2025, in the case of ***Ranjitha vs. the Registrar General, High Court of Madras, Chennai and others***, following the decision of the Hon'ble Supreme Court in ***Umadevi vs. Government of Tamil Nadu and others***, reported in [2025 SCC Online SC 1204]. Therefore, the learned counsel submits that it would suffice, if this Court issues a direction to the respondents 3 and 4 to consider the representation of the petitioner and grant maternity leave from 01.12.2025 to 30.11.2026.



5. On the above contention, this Court heard the learned counsel appearing for the respondent.

6. In view of the above, this Court without expressing any opinion on the merits of the case, directs the respondents 3 and 4 to consider the petitioner's representation dated 29.11.2025 in the light of the order passed in W.P.No.33559 of 2025 dated 04.09.2025, and pass appropriate orders on the same in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and any other interested parties.

7. This Writ Petition stands disposed of with the aforesaid direction.

There shall be no order as to costs.

05-01-2026

Anu

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To
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