



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2016

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

Writ Petition (MD) No.1482 of 2011

G.Annaperumayee

... Petitioner

Vs.

1.The District Collector,
Theni District.2.The District Social Welfare Officer,
Social Welfare Department,
Theni District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records in Na.Ka.No.30/A3/2010 dated 11-11-2010 on the file of the 2nd Respondent and quash the same as illegal and further directing the Respondents to sanction the amount of Rs.30,000/- to the Petitioner under the Female Child Protection Scheme.

For Petitioner : Mr.R.Balakrishnan
For Respondents : Mr.K.P.Krishnadoss,
Government Advocate.

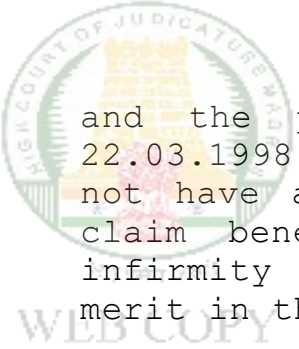
ORDER

The petitioner claiming relief under Sivagami Ammaiyyar Memorial Female Child Protection Scheme, approached the first respondent along with an application on 08.11.2010 and the said application has been rejected. Challenging the same, the present writ petition has been filed.

2.According to the petitioner, she had two female children born on 05.04.1996 and 22.03.1998 respectively at Nattathi Nadar Hospital, Theni. As per the above said scheme, she is entitled for a sum of Rs.30,000/- on the ground that she underwent puerperal sterilization operation in the Government Hospital. Since the above said amount has not been disbursed, the petitioner made a representation to the respondents which was rejected. Hence, the present writ petition has been filed for the relief stated supra.

3.The third respondent has filed a counter affidavit stating that when the scheme itself came into force on 31.12.2001, the respondents cannot claim any relief under the scheme.

4.Admittedly, the scheme came into force on 31.12.2001



and the petitioner had undergone puerperal sterilization on 22.03.1998 before the scheme came into force and the scheme does not have any retrospective effect. Hence, the petitioner cannot claim benefit under the above said scheme and there is no infirmity in the order passed by the respondent and there is no merit in the writ petition.

5. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Theni District.

2. The District Social Welfare Officer,
Social Welfare Department, Theni District.

+1 CC to Mr. R. BALAKRISHNAN, Advocate, SR No. 55296

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sms

SH/SK-SKN:06.10.2016:2P/4C