

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.27725 of 2017
and
WMP.No.29685 of 2017

S.Kannan

... Petitioner

vs.

1.The District Collector
Coimbatore District
Coimbatore.

2.The Director
Social Welfare and Nutritious Meal Programme Department
Chennai-600 005.

3.The District Social Welfare Officer
O/o.The District Social Welfare Officer
Kenvin Higher Secondary School Complex
Mettupalayam, Coimbatore District.Respondents

PRAYER:

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent in Na.Ka.No.496/A1/17 dated 20.04.2017 quash the same and further direct the respondents to provide the benefits of the Moovalur Ramamirtham Ammaiyar Ninaivu Marriage Assistance Scheme to the petitioner.

For Petitioner : Mr.I.Abrar Md. Abdullah

For Respondents: Mr.R.Govindasamy

Special Government Pleader

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. The petitioner is aggrieved against the proceedings of the third respondent dated 20.04.2017, wherein and whereby his application seeking for certain financial monetary benefit payable under Moovalur Ramamirtham Ammaiyar Ninaivu Marriage Assistance Scheme was returned. According to the petitioner, his daughter by name K.Rajeswari, was given marriage on 04.12.2016 and such marriage is entitled to get the benefit from the hands of the respondents under the above said scheme. However, the grievance of the petitioner is that when an application is made to that effect, the same was returned by passing the impugned order only on the reason that the same was filed belatedly.

4. The learned counsel for the petitioner after inviting this Court's attention to the communication dated 08.12.2016, issued by the third respondent indicating that the petitioner had infact made an attempt to file such application and the same would not be done due to malfunctioning of the computer, submitted that the reasoning for returning the application is not correct.

5. Therefore, I do not think that the third respondent is justified in returning the application of the petitioner, as it is belated one. In any event, when certain benefits are given under certain schemes, a technical objection shall not always be put against the claimants, when such technical objection is not going to the root of the matter. Therefore, Considering all these aspects, this writ petition is allowed and the impugned proceedings is set aside. Consequently, the matter is remitted back to the third respondent to consider the claim of the petitioner and pass orders on the same on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

mk

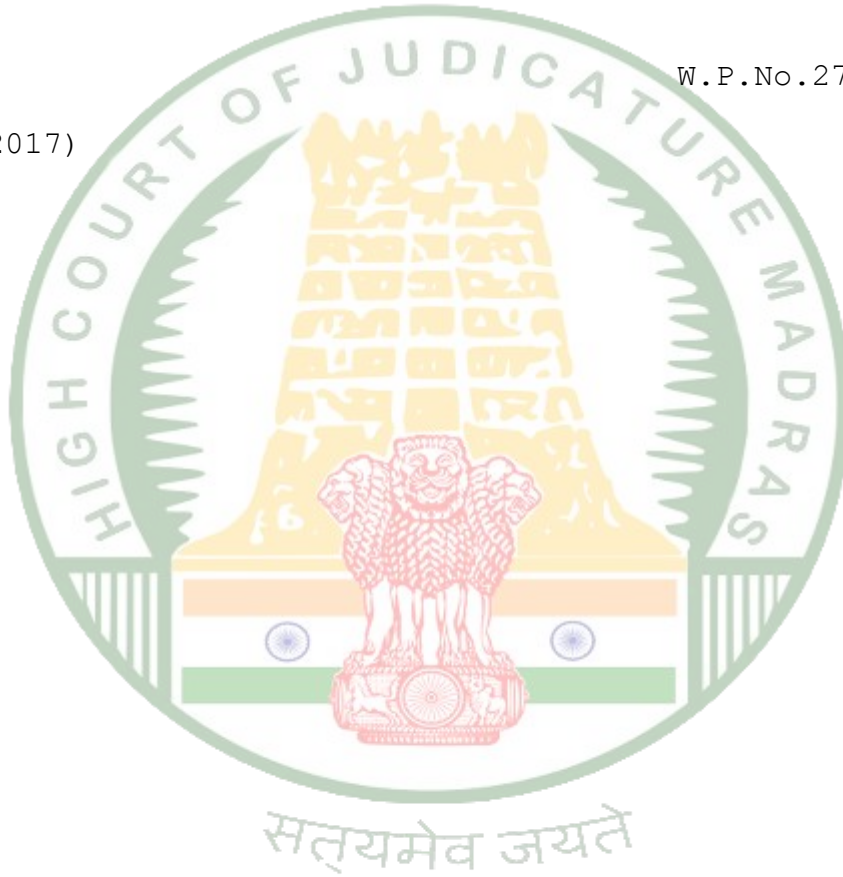
To

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Coimbatore District
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Chennai-600 005.
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O/o.The District Social Welfare Officer
Kenvin Higher Secondary School Complex
Mettupalayam, Coimbatore District.
- +1 CC to Govt. Pleader sr 77352.

SP(02/11/2017)

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