



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.17032 of 2017

Pachainayagam

... Petitioner

Vs.

1. The District Collector,
Theni District.

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

3. The Block Development Officer
(Village Panchayat) Periyakulam,
Theni District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to disburse the social welfare assistance to the petitioner and scheme certificate as per the application dated 24.5.2012.

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.M.Alagathevan
Special Government Pleader

O R D E R

This writ petition has been filed, seeking to direct the respondents to enlarge the social welfare benefits to the petitioner and scheme certificate as per her application dated 24.05.2012.

2. Heard the learned Counsel appearing on either side.

3. The case of the petitioner is that she married one P.Murugaiah, and the said marriage was solemnized on 22.08.2010, as an inter-caste marriage and hence, according to her, they became beneficiaries of social welfare scheme and they are



entitled to receive the incentives/benefits. For the same, they had also applied before the third respondent, which was duly acknowledged as early as on 24.05.2012. In spite of her repeated requests, there was no response from the third respondent. Thereafter, the petitioner's husband submitted a representation on 21.05.2014, under Right to Information Act, seeking information regarding their eligibility and status of their application seeking grant of incentives/benefits and in reply to the same, the Public Information Officer admitted that they are entitled for the benefits. It is further informed that the petitioner's application was recommended to the second respondent for incentives/benefits, as he is the competent authority. The petitioner, thereafter, submitted a representation dated 10.07.2017 to the first respondent, requesting grant of welfare benefits, which also failed to yield any fruitful results to the petitioner and hence the petitioner has come before this Court with the above said prayer.

4. At this juncture, the learned Special Government Pleader appearing for the respondents submitted that it is the second respondent, who has to take action on the petitioner's claim and the petitioner has not submitted any representation to the second respondent. However, he fairly submitted that the second respondent will pass necessary orders, within a stipulated time limit, if the petitioner submits a copy of his representation to the second respondent.

5. In view of the above, this petition is disposed of, with a direction to the petitioner to submit a copy of her representation along with a copy of this order and all necessary documents before the second respondent, within a period of two weeks from the date of receipt of a copy of this order and upon such filing, the second respondent is directed to consider the same and pass appropriate orders thereon, within a period of four weeks thereafter, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Theni District.

<https://hcservices.ecourts.gov.in/hcservices/>

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



3. The Block Development Officer
(Village Panchayat) Periyakulam,
Theni District.

+ 1 cc TO Mr.K.Appadurai , Advocate in SR No. 81555
+1cc to The Special Government Pleader in SR.No.81659

gk
AE/KP/SAR1/12.10.2017/3P/6C

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