



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.02.2017

CORAM

THE HON'BLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.(MD) No. 2404 of 2017

WEB COPY

D.Parthiban

... Petitioner

-Vs-

- 1.The Commissioner,
Social Welfare Department,
Chepauk, Chennai-5.
- 2.The District Social Welfare Officer,
District Social Welfare Office, Trichy.
- 3.The Commissioner,
Trichy Corporation, Trichy.
- 4.The Assistant Commissioner,
Abishekapuram Division,
Trichy Corporation, Trichy.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus calling the records relating to the proceedings of District Social Welfare Officer, Trichy, the 2nd respondent herein made **ந.க.எண்.1015-வி.உத.அ/-2015** dated 17.12.2015 and quash the same and consequently direct the respondents to grant the marriage assistance to the petitioner's daughter's marriage under Moovalur Ramamirtham Ammaiya Ninaivu Marriage Assistant Scheme.

For Petitioner	: M/s. K.Abiya
For Respondents	: Mr.A.Muthukaruppan
	Additional Government Pleader for
	R1&R2
	Mr.N.S.Karthikeyan for R3 & R4
	Additional Government Pleader

O R D E R

This Writ Petition is filed challenging the order of the second respondent, dated 17.12.2015, wherein the request of the petitioner for grant of financial assistance for the marriage of his daughter was rejected on the ground that such request made by the petitioner was already rejected by the first respondent.

2. The learned counsel appearing for the petitioner submitted that except the order impugned in this writ petition, the petitioner was not served with any order passed by the first respondent as stated in the impugned order.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleaders appearing for the



respondents.

4. The petitioner seeks for financial assistance for the marriage of his daughter. No doubt, the present impugned communication issued by the second respondent, rejected such request. However, perusal of the reason stated therein would show that such request of the petitioner was already rejected by the first respondent, who is the Superior Authority and therefore, the petitioner has to only challenge the said order of the first respondent. There is no purpose in challenging the second respondent's communication, which only reiterates that the petitioner's request has already been rejected by the first respondent.

5. Considering the fact that the petitioner was not served with the copy of the order passed by the first respondent, this Writ Petition is disposed of by directing the first respondent to communicate a copy of the order passed by him to the petitioner, within a period of three weeks from the date of receipt of a copy of this order. On receipt of such order from the first respondent, it is open to the petitioner to challenge the same in the manner known to law. No Costs.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To:

- 1.The Commissioner,
Social Welfare Department,
Chepauk, Chennai-5.
- 2.The District Social Welfare Officer,
District Social Welfare Office, Trichy.
- 3.The Commissioner,
Trichy Corporation, Trichy.
- 4.The Assistant Commissioner,
Abishekapuram Division,
Trichy Corporation, Trichy.

+1 CC TO M/S. K.ABIYA, ADVOCATE, SR NO.7694
+1 CC TO MR. N.S.KARTHIKEYAN, ADVOCATE, SR NO.8141
+1 CC TO SPECIAL GOVERNMENT PLEADER, SR NO:8069

MAS/CM-MSA:22.01.2017:2P/8C