



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No. 7552 of 2017

Karuppaiah

.. Petitioner

Vs.

1. The Union of India represented by
The Principal Secretary,
Ministry of Human Resource Development,
Government of India,
Parliament House,
New Delhi.
2. The Union of India represented by
The Principal Secretary,
Department of Social Justice and Empowerment,
Shastri Bhawan,
C-Wing,
Dr.Rajendra Prasad Road,
New Delhi, 110011.
3. That State of Tamil Nadu represented by
The Principal Secretary,
School Education Department,
State of Tamil Nadu,
Secretariat,
Fort. St.George,
Chennai.
4. The Nodal Officer/Deputy General Manager,
Canara Bank,
Business Branch,
National Archives Building,
(Adjoining Shasthri Bhavan),
Janpath, New Delhi-110001.
5. The Principal Secretary,
Adi Dravidar and Tribal Welfare Department,
State of Tamil Nadu,
Secretariat, Fort.St.George,
Chennai.



6. The Director,
Department of School Education,
DBI Campus,
College Road,
Chennai.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to disburse the educational incentive under 'National Scheme of Incentives to Girls for Secondary Education' to the eligible girls students in the State of Tamil Nadu from the academic year 2008-2009 to 2016-2017 in accordance with law within the time stipulated by this Court.

(Prayer amended vide Court
order dated 12.07.2017 in
W.M.P(MD) .No.7790 of 2017.)

For petitioner	: Mr.R.Alagumani
For R1 & R2	: Mr.N.Shanmugaselvam
For R3, R5 & R6	: Mr.M.Govindan, Special Government Pleader
For R4	: Mr.N.Dilipkumar

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

This writ petition has been filed in public interest. The Central Government allotted a scheme by name "National Scheme of Incentives to Girls for Secondary Education" in the year 2008. The National scheme is to provide endowment for girl children, in the age group of 14 to 18 at secondary stage, so that they would not drop out of schools, after completing 8th standard. The Canara Bank has been appointed as the nodal agency for disbursement of funds. But, it is alleged that there has not been disbursement of the educational incentive under the said scheme from the year 2008-2009 to 2016-2017.

2. When the matter was taken up for disposal, it was stated by the first respondent that the payment of incentive amount for the year 2011-2012 could not be made as the said accounts were closed in November 2016. The Canara bank had refunded the amount deposited in the respective accounts, because necessary information for the year 2011-2012 was not received in time from



the Tamil Nadu State Government, even though, repeated requests were made by the Central Government. The information was actually received only in April, 2017. As regards the proposals for the academic years 2013-2014 and 2014-2015, funds are yet to be allotted. However, the contention of the writ petitioner that there has been no disbursement from 2008-2009 is not correct. In paragraph No.3 of the counter affidavit, the financial year-wise break-up of the funds sanctioned has been set out. It is pointed out that payment of incentive maturity amount of Rs.126.73 crore has been made to 3,78,792 girls of various states including Tamil Nadu up to 2017 since launched the scheme.

3. In view of the beneficial nature of the scheme, we are of the view that the Government of Tamil Nadu could be directed to submit fresh proposals identifying the beneficiaries. The Central Government shall consider the said proposal and ensure that the benefits reach them. The Central Government shall not take the stand that the funds got lapsed. Of course, we do see force in the stand of the learned senior Central Government Standing counsel that since the originally intended beneficiaries have passed out of the schools, few years ago, it may not be possible to trace them. We, therefore, direct the third respondent to obtain the current information with regard to the beneficiaries and submit fresh proposals to respondents 1 and 2. The respondents 1 and 2 shall consider such proposal and sanction funds for the same. Similarly, as regards the pending proposals, steps shall be taken to expedite the process of disbursement.

4. With these directions, this writ petition stands disposed of. No Costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. That Principal Secretary,
State of Tamil Nadu
School Education Department,
State of Tamil Nadu,
Secretariat,
Fort. St. George,
Chennai.

2. The Principal Secretary,
Adi Dravidar and Tribal Welfare Department,
State of Tamil Nadu,
Secretariat, Fort. St. George,
Chennai.



3. The Director,
Department of School Education,
DBI Campus,
College Road,
College Road,
Chennai.

+1cc to Mr.N.Dilipkumar, Advocate Sr.No.79648
+1cc to Mr.R.Alagumani, Advocate Sr.No.79435
+1cc to Mr.N.Shanmugaselvam, Advocate Sr.No.79502
+1cc to The Spl.Government Pleader Sr.No.79887

RMK/PJL

VB/SV/MMS/SAR2/15/11/2017/4P/8C

**ORDER MADE IN
W.P. (MD) No. 7552 of 2017
18.09.2017**