

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.03.2018

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

WP.No.4737 of 2012

N.Sundaramurthy

... Petitioner

Versus

1.The Chairman,

Tamil Nadu Social Welfare Board,
21, Abdul Razack Street,
Saidapet,
Chennai-600 015.

2.The Joint Secretary,

Tamil Nadu Social Welfare Board,
21, Abdul Razack Street,
Saidapet,
Chennai-600 015.

3.The Welfare Officer,

Tamil Nadu Social Welfare Board,
21, Abdul Razack Street,
Saidapet,
Chennai-600 015.

4. The Assistant Project Officer (A.P.O.)

Tamil Nadu Social Welfare Board,
21, Abdul Razack Street,
Saidapet,
Chennai-600 015.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records directing the 2nd respondent to call for the records relating to the order dated 11.03.2010 bearing Roc.No.5865/1-1/03 and quash the same and consequently directing the 1st respondent board to sanction financial grant of Rs.42,384/- to the petitioner's Association with arrears for the year 2008-2009 and 2009-2010.

For Petitioner : Mr.R.Lakshmi Narasimhan

For Respondents: Mr.T.M.Pappiah
Spl. Govt. Pleader

ORDER

The petitioner has approached this Court, seeking the following relief:-

"To issue a Writ of Certiorarified Mandamus calling for the records directing the 2nd respondent to call for the records relating to the order dated 11.03.2010 bearing Roc.No.5865/1-1/03 and quash the same and consequently directing the 1st respondent board to sanction financial grant of Rs.42,384/- to the petitioner's Association with arrears for the year 2008-2009 and 2009-2010."

2. The petitioner is the Secretary of Tamil Nadu Social Welfare Association and has been in service of downtrodden, deserted orphan children and senior citizen. The Association is also involved in rendering service to the handicapped persons, mentally retarded persons besides providing shelter to infants in the name of Creche-care. The Association has been receiving grant from the Social Welfare Board to the tune of Rs.42,834/- every year for the Creche Programme and the Creche Care Unit is being successfully run for 25 years. According to the petitioner, earlier, the place of creche was located elsewhere and the same was subsequently shifted to new place at No.43, Razack Garden Main Road, Ground Floor, Arumbakkam, Chennai-600 106 in 2009. However, the grant was stopped by the Welfare Board stating certain reasons from 2008 onwards. In this regard, the petitioner had sent a representation requesting for financial assistance in order to continue the creche programme.

3. While matter stood thus, in response to the representation of the petitioner, an intimation was sent on 11.03.2010 by the second respondent that further sanction was not considered since the place was not properly maintained and the same was untidy without sufficient place.

4. When the matter is taken up for hearing, the learned counsel for the petitioner would submit that now the creche is re-located to different place where sufficient place is available and it has been maintained properly by the petitioner Association. Therefore, in the light of the change in circumstances, the first respondent may be directed to consider the request of the petitioner for financial grant of the petitioner Association in order to run the Creche Care Centre.

5. At this, the learned counsel appearing for the respondents would not have any objection since the direction as sought by the learned counsel for the petitioner is limited in its scope.

6. In view of the above, the petitioner is directed to submit a fresh application in respect of new location of the creche for which grant is to be required from the first respondent within a period of two weeks from the date of receipt of a copy of this order and on such application being made, the first respondent or other competent authority shall consider the same on merits and in accordance with law and pass appropriate orders within a period of four weeks thereafter. It is made clear that in case, the petitioner's application deserves to be considered favourably in view of change in circumstances, the same shall be considered by taking all relevant circumstances into consideration.

7. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS VII)

//True copy//

Sub Assistant Registrar

kal

To

1. The Chairman,
Tamil Nadu Social Welfare Board,
21, Abdul Razack Street,
Saidapet,
Chennai-600 015.

2. The Joint Secretary,
Tamil Nadu Social Welfare Board,
21, Abdul Razack Street,
Saidapet,
Chennai-600 015.

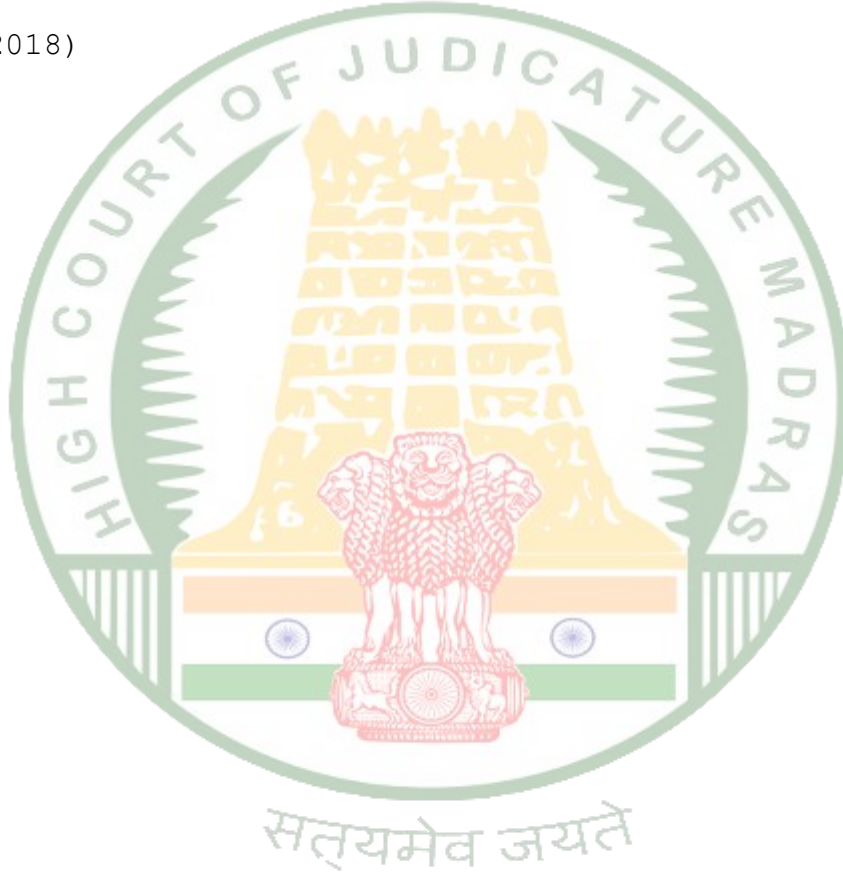
3. The Welfare Officer,
Tamil Nadu Social Welfare Board,
21, Abdul Razack Street,
Saidapet,
Chennai-600 015.

4. The Assistant Project Officer (A.P.O.)
Tamil Nadu Social Welfare Board,
21, Abdul Razack Street,
Saidapet,
Chennai-600 015.

+1cc to Mr.Lakshmi Narasimhan, Advocate SR.No.21736

WP.No.4737 of 2012

GN(06/04/2018)



WEB COPY