

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.1225 of 2020

B.Hemavathy

... Petitioner

..Vs..

1.The Secretary,
Government of Tamil Nadu,
Department of Social Welfare &
Nutritious Meal Program,
Secretariat, Chennai-600 009.

2.The Joint Director/Additional City Medical Officer,
Medical Service Department,
Greater Chennai Corporation,
Chennai 600 003.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 24.04.2019 passed by the second respondent in Ma.Sa.Thu.Na.ka.No.F3/0846/2019, quash the same and consequently, direct the respondents to disburse the benefits of the MOOVALUR RAMAMIRTHAM AMMAIYAR MEMORIAL MARRIAGE ASSISTNCE SCHEME to the petitioner within a time frame.

For Petitioner : Mr.D.R.Aurn Kumar

For Respondents : Mr.R.Govindasamy for R1

Additional Government Pleader

Mrs.Manimegalai for R2

ORDER

The petitioner has filed the present Writ Petition for issuance of a Writ Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 24.04.2019 passed by the second respondent in Ma.Sa.Thu.Na.ka.No.F3/0846/2019, quash the same and consequently, direct the respondents to

disburse the benefits of the MOOVALUR RAMAMIRTHAM AMMAIYAR MEMORIAL MARRIAGE ASSISTNCE SCHEME to the petitioner.

2.The writ petitioner namely, B.Hemavathi, aged about 32 years, belongs to a very poor family and she is the first degree holder in her family, having secured a degree in Bachelor of Commerce in the year 2007 from Madras University. The petitioner's parents have borrowed huge private loans to solemnize her marriage, which was held on 07.05.2017 with Mr.M.Kalaiazhagan. The petitioner had applied for benefit under the MOOVALUR RAMAMIRTHAM AMMAIYAR MEMORIAL MARRIAGE ASSISTNCE SCHEME. This application had been made on 04.05.2017. In this connection, the respondents demanded the income certificate of her parents. That was given 10.05.2017. The impugned order was passed on the ground that the marriage was conducted on 07.05.2017 and thereafter the income certificate had been produced before the first respondent. Till date, the respondents have not disbursed the benefits of the MOOVALUR RAMAMIRTHAM AMMAIYAR MEMORIAL MARRIAGE ASSISTNCE SCHEME to the petitioner. Hence the writ petition has been filed.

3.The petitioner is entitled for the benefits based her status. The petitioner had applied for benefit under the MOOVALUR RAMAMIRTHAM AMMAIYAR MEMORIAL MARRIAGE ASSISTNCE SCHEME. The income certificate had been given on 10.05.2017. The only reason for rejection is that this was submitted on 10.05.2017. It was signed on 10.05.2017 at 5.35.31 p.m.. It had been Immediately given to the respondent.

4.Heard both sides and perused the materials available on record.

5.The fact that the petitioner had married on 07.05.2017 and had submitted the income certificate immediately when it has been issued by the authority are not denied by the respondents. The impugned order dated 24.04.2019 passed by the second respondent is set aside. This Court is inclined to issue a direction to the second respondent to disburse the benefits of the MOOVALUR RAMAMIRTHAM AMMAIYAR MEMORIAL MARRIAGE ASSISTNCE SCHEME to the petitioner on or before 15.03.2020.

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Accordingly, the writ petition is allowed. No Costs.

-s/d-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

- 1.The Secretary,
Government of Tamil Nadu,
Department of Social Welfare &
Nutritious Meal Program,
Secretariat, Chennai-600 009.
- 2.The Joint Director/Additional City Medical Officer,
Medical Service Department,
Greater Chennai Corporation,
Chennai 600 003.

+1 cc to Mr.D.R.Arun kumar Advocate sr10540
+1 cc to the Government Pleader sr10879

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सत्यमेव जयते
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