



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.9886 of 2020

K.Jayachandran

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Block Development Officer,
Union Office,
Melur Taluk,
Madurai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to change as J.Vijaya instead of Lavanya in the Social Welfares Muvalur Ramahmirtham Ammaiyar Memorial Marriage Scheme application, by considering the petitioner's representation dated 24.06.2019.

For Petitioner : Mr.K.Madhubalan

For Respondents 1 & 2 : Mr.K.Sathiyasingh

Additional Government Pleader

O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents.

2.The writ petitioner Thiru.K.Jayachandran, is a resident of Koothappanpatti Village in Melur Taluk. He is a Farmer. He is having four children, which includes two daughters. The petitioner performed the marriage of the second daughter namely, J.Vijaya with one M.Ramanathan, on 20.05.2018 at Arulmighu Thiruthaninathan Temple at Thiruppur. The petitioner states that one month prior to the marriage, he applied for assistance under Muvalur Ramahmirtham Ammaiyar Memorial Marriage Scheme. The petitioner states that through the E-Sewa Centre, all the relevant documents were also



submitted. But the petitioner did not receive any assistance at all. Therefore, the present writ petition came to be filed.

3.The petitioner, in the mean while, came to know that the application submitted through the E-Sewa Centre had erroneous details. The petitioner's daughter name was mentioned as Lavanya instead of J.Vijaya. Likewise, the name of the bridegroom was also typed otherwise.

4.The respondents have filed a counter affidavit and taken the stand that since the details received through E-Sewa Centre are incorrect, they cannot be expected to process the application or grant the financial assistance under the said scheme to the petitioner herein.

5.As per the said scheme, a person whose annual income is less than Rs.72,000/- (Rupees Seventy Two Thousand), is eligible for availing the financial assistance. The scheme also stipulates quite a few eligibility requirements. It is not in dispute that the petitioner is otherwise eligible to receive the assistance. The only ground taken is that the application was received belatedly i.e., after the marriage and that it contained erroneous details.

6.In this case, the marriage of the petitioner's daughter had taken place on 20.05.2018.

7. I went through the materials enclosed in the typed set of papers.

8.The applicant must enclose the Income Certificate. The petitioner had enclosed the Income Certificate at Page No.7 of the typed set. The local Tahsildar has mentioned that the petitioner is getting only a sum of Rs.72,000/- per annum. The date of certificate is relevant, it bears the date as 20.04.2018. The other certificates also bear the same date. Thus, it is obvious that the petitioner had collected all the relevant certificates a full one month prior to the marriage. The petitioner had also enclosed the handwritten application form that is said to have been filled-up by the petitioner on 20.04.2018. Thus the case of the petitioner that he had moved the authorities a full one month prior to the marriage appears to be more probable.

9.But the procedure is that the application must be submitted online. The goof-up appears to have taken place in the E-Sewa Centre. The E-Sewa centre is operated only by the Government. Therefore, for the mistake committed by the E-Sewa Centre, the petitioner cannot be blamed. Therefore, I permit the petitioner to apply afresh to the Block Development Officer / second respondent, through the E-Sewa Centre. Since, I have already given a finding



well in time, the case of the petitioner can obviously not be non-suited on any technical ground. I am also satisfied that the petitioner fulfills all the requirement of the scheme. Therefore, on receipt of the application from the petitioner herein, the second respondent will disburse the assistance under the aforesaid scheme. The petitioner's counsel states that within a week from the date of receipt of a copy of this order, the petitioner would make an application. The respondents are directed to disburse the aforesaid assistance within a period of eight weeks from the date of receipt of the application.

10. This Writ Petition is allowed, on these terms. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Block Development Officer,
Union Office,
Melur Taluk,
Madurai District.

+1 CC to M/s.K. MADHUBALAN, Advocate (SR-18033[F] dated 25/09/2020)

+1 CC to SGP (SR-18109, 18156[F] dated 25/09/2020)

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NR (13.10.2020) 3P 5C

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