



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

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W.P. (MD)No.15313 of 2019

A.Subramani

... Petitioner

Vs.

1.The District Collector,
District Collector Campus,
Trichy District.

2.The District Welfare Officer,
Social Welfare Scheme,
Trichy District.

3.The Block Development Officer,
Panchayat Union,
Pullambadi,
Trichy District.

... Respondents

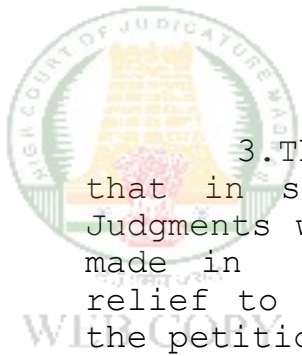
PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to provide the fund to the petitioner under the Moovalur Ramamirtham Ammaiyar Marriage Fund Scheme.

For Petitioner	: Mr.R.Venkatesan
For RR 1 & 2	: Mr.C.M.Mari Chelliah Prabhu Additional Government Pleader
For R - 3	: Mr.A.Thiyagarajan Government Advocate

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, to direct the respondents to provide the fund to the petitioner under the Moovalur Ramamirtham Ammaiyar Marriage Fund Scheme.

2.According to the petitioner, he is an agriculturist and pursuant to the marriage of the petitioner's daughter, he submitted an application on 27.08.2018 before the Village Administrative Officer, Neikulam Village to provide the amount under the Moovalur Ramamirtham Ammaiyar Marriage Scheme, but the Village Administrative Officer informed the petitioner that he belatedly approached him and failed to consider the petitioner's application under the scheme. Hence, the petitioner sent a detailed representation to the respondents on 26.10.2018 to provide the amount under the Scheme. Since no action has been taken on the side of the respondents, the petitioner has filed the present Writ Petition.



3.The learned counsel appearing for the petitioner submitted that in similar circumstances, this Court had issued catena of Judgments with regard to the same issue and this Court in the order made in W.P.No.27214 of 2016, dated 04.08.2016, granted the relief to one K.Arasu, who was also similarly placed like that of the petitioner and prayed for allowing the Writ Petition.

4.Heard the learned counsel appearing on either side.

5.The relevant portion of the order of this Court made in W.P.No.27214 of 2016, dated 04.08.2016, reads as follows:

'5.It is not in serious dispute that the petitioner is having poor economic background and with great difficulty has performed the marriage of his daughter namely A.Anitha on 20.05.2015. It is the specific case of the petitioner that since he had to obtain necessary certificates from the jurisdictional Tahsildar for getting assistance under the Scheme, there was a delay in submitting the application and therefore, it cannot be put against the petitioner.'

6.In the considered opinion of this Court, the second respondent is having discretion and power to condone the delay. The fact remains that due to procedural formalities, the petitioner could not submit the application on time. As already pointed out, the marriage of the petitioner's daughter also, is not in serious dispute. Therefore, there cannot be any impediment on the part of the second respondent to consider the application submitted by the petitioner, in the light of the relevant norms and regulations.'

6.In the light of the earlier order passed by this Court and accepting the reasons stated in the affidavit filed in support of the petition, the second respondent is directed to consider the representation of the petitioner dated 26.10.2018 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, under the Moovalur Ramamirtham Ammaiyar Marriage Fund Scheme, within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

7.This Court makes it clear that this Court has considered the claim of the petitioner only in respect of non-submitting the application on time before the concerned authority, following the earlier order passed by this Court in W.P.No.27214 of 2016, dated 04.08.2016.



8. With the above direction, the Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar (CSIII)

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// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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.

Ps

To

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