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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2021

CORAM :

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Contempt Petition No.951 of 2020

in

W.P.No.1225 of 2020

B.Hemavathy,
No.191, G Block,
Sathyamurthi Nagar,
Mallipoo Colony,
Vyasarpadi, Perambur,
Chennai - 39

... Petitioner/Petitioner

Vs.

Dr.S.Banumathi,
The Joint Director/Additional City Medical Officer,
Medical Service Department,
Greater Chennai Corporation,
Chennai - 3

... Respondent/2nd Respondent

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondent for her willful disobedience of the order dated 10.02.2020 made in W.P.No. 1225 of 2020 passed by this Hon'ble Court.

For Petitioner : Mr. D.R. Arun Kumar
For 1st Respondent
in W.P. : Mr.M.Elumalai
Additional Government Pleader

For Respondent
in Cont. P. : Mr. Jaya Prakash
for M/s. B. Manimegalai
Standing Counsel

**ORDER**

WEB COPY Heard Mr. D.R. Arun Kumar, learned counsel for the petitioner and Mrs.M.Elumalai, learned Additional Government Pleader appearing for the first respondent in the Writ Petition and Mr. Jaya Prakash for Ms. B.Manimegalai, learned Standing Counsel for the respondent in the Contempt Petition /second respondent in the Writ Petition.

2. Even in the earlier order dated 02.02.2021 the Court had recorded its appreciation to take efforts taken by Mr.M.Elumalai, learned Additional Government Pleader appearing for the first respondent in the Writ Petition and also by Ms. B.Manimegalai, learned Standing Counsel for the respondent in the Contempt Petition /second respondent in the Writ Petition , who had assured that the petitioners grievances shall be addressed.

3. In effect, the respondent in the Contempt Petition had delivered 1 sovereign (8 grams gold coin) to the writ petitioner and it was informed that on 02.02.2021, the amount of Rs.50,000/- has also been transferred to the Bank account to the petitioner. This brings to a happy end the procedure complained in the writ petition.

4. However, the Court is under an obligation to observe further that the Writ Petition in W.P.No. 1225 of 2020 had been filed in a nature of a certiorari to quash an order dated 24.04.2019 passed by the second



respondent in the Writ Petition in Ma.Sa.Thu.Na.Ka.No. F3/0846/2019 and to direct to disburse the benefits of the Moovalur Ramamirtham Ammaiyar Memorial Marriage Assistance Scheme to the petitioner.

5. The petitioner had given an application seeking assistance under the said scheme on 04.05.2017. The various formalities were expected to be complied by the petitioner. Thereafter, in the year 2019, the impugned order had been passed. The Writ Petition had been ordered on 10.02.2020. It had now come to a final quietus today on 12.02.2021.

6. A grievance is expressed by Mr. Jaya Prakash, who represented on behalf of Ms. Manimegalai, learned Standing Counsel for the second respondent that it should also be considered by the Court particularly in this case when an application had been made in May 2017 after the marriage had been solemnised.

7. It is stated that though the petitioner herein was entitled to the benefits of the scheme but their delayed approach to the Court had placed much hardship and strain on the respondents, who had to examine the records, re-examine the issues and then pass a considered order.

8. The learned counsel therefore stated that the order in the Writ Petition may be treated as a stand alone order and may not act as a precedent to encourage other petitioners to approach the Court belatedly.

9. It is also to be noted that if a genuine request is made to grant



the benefits of the scheme, it is normally expected that the beneficiary would approach the Court at the earliest point of time.

10. In view of the same, I hold that the order in the Writ Petition is applicable only to the facts of the case as projected in the Writ Petition.

11. The Contempt Petition is closed. No order as to costs.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

vsg

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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To

The Joint Director/Additional City Medical Officer,
Medical Service Department,
Greater Chennai Corporation,
Chennai - 3