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W.P.No.13326 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.13326 of 2023

M.Ram Kumar

...Petitioner

Vs.

1. The Director,
Dr.Ambedkar Foundation,
Ministry of Social Justice and Empowerment,
Government of India,
Wing No.7, West Block-I,
Ground Floor, R.K.Puram, New Delhi - 110 066.

2. The District Collector,
District Collectorate,
Thiruvallur District - 602 001.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the entire records pursuant to the impugned order dated 14.02.2023 vide E.O.No.43826 on the file of the 1st Respondent and quash the same, consequently to direct the 1st Respondent to disburse the incentive payable to the petitioner herein as per Dr.Ambedkar Scheme for Social Integration through Inter-caste Marriage within a stipulated period as fixed by the Court.

For Petitioner : Ms.R.Chithradevi

For Respondents : Mr.Rajesh Vivekanandan, DSG, for R1



W.P.No.13326 of 2023

an inter-caste marriage. Since it is an inter-caste marriage, the petitioner is eligible to get benefit under "Dr.Ambedkar Scheme for Social Integration through Inter-Caste Marriage". Thereby, on 08.03.2022, the petitioner made an application before the 2nd respondent along with the necessary documents, seeking financial incentive under the above said Scheme. Upon receipt of the said application, the 2nd respondent, vide proceedings bearing Roc.No.J7/1424/2022 dated Nil.10.2022 forwarded the same to the 1st respondent. However, the 1st respondent, vide proceedings bearing E.O.No. 43826, dated 14.02.2023, rejected the petitioner's application on the ground that, the application was not submitted within one year of marriage. Challenging the said order of the 1st respondent, this Writ petition.

4. Learned counsel for the petitioner submitted that, though the petitioner has submitted his application before the 2nd respondent on 08.03.2022, which is within a period of one year of marriage, as the petitioner's marriage took place on 17.05.2021, however, the 2nd respondent took his own time and has forwarded the said application to the 1st respondent only in the month of October, 2022, which is after a lapse of about seven months. While such being the case, the petitioner cannot be



W.P.No.13326 of 2023

made accountable for the delay caused by the 2nd respondent in forwarding the petitioner's application. Therefore, rejecting the petitioner's application

on the ground of delay is not sustainable. Hence, he prayed for allowing this Writ petition.

5. Learned Government Advocate appearing for the 2nd respondent fairly submitted that, the petitioner made application on 08.03.2022, which is within a period of one year of marriage. However, due to some Administrative reasons, the petitioner's application was forwarded to the 1st respondent only in the month of October, 2022. Hence, this Court may issue appropriate direction to the respondents with regard to sanction of eligible financial incentive to the petitioner under the above said Scheme.

6. Learned Deputy Solicitor General appearing for the 1st respondent submitted that, as the petitioner made application for financial incentive under the above said Scheme within one year of his marriage, the petitioner's application will be considered once again and appropriate orders will be passed within the time stipulated by this Court.



W.P.No.13326 of 2023

WEB COPY 7. Heard learned counsel on either side and perused the materials available on record.

8. A perusal of the material documents placed on record reveals that, admittedly, the petitioner's marriage took place on 17.05.2021 and the petitioner made application before the 2nd respondent on 08.03.2022 under "Dr.Ambedkar Scheme for Social Integration through Inter-Caste Marriage", seeking financial incentive within a period of one year of marriage. While such being the case, it is the duty cast upon the 2nd respondent to forward the petitioner's application as expeditiously as possible. However, it is pertinent to note that, the 2nd respondent has forwarded the said application to the 1st respondent only in the month of October, 2022 which is after a lapse of seven months and it is purely a delay caused on the side of the 2nd respondent and the petitioner has rightly made application within the time stipulated under the said Scheme. Hence, the present impugned order of the 1st respondent dated 14.02.2023, rejecting the petitioner's application on the ground that, the application was not submitted within one year of marriage is not sustainable and the same is



W.P.No.13326 of 2023

liable to be interfered with.

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9. In view of the above circumstances, the impugned order of the 1st respondent dated 14.02.2023 is set aside and the 1st respondent is directed to consider the petitioner's application dated 08.03.2022 afresh and sanction the eligible incentive to the petitioner, under "Dr.Ambedkar Scheme for Social Integration through Inter-Caste Marriage" within a period of four weeks from the date of receipt of a copy of this order, if it is otherwise in order.

10. With the above observations and directions, this Writ petition stands allowed. No costs.

27.04.2023

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Speaking Order : Yes/ No

Index : Yes/ No



W.P.No.13326 of 2023

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