



WP(MD)No.2306 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.10.2023**

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THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.2306 of 2021

Kalyanaranjithkumar

...Petitioner

/Vs./

- 1.The Union of India,
Rep. by the Principal Secretary to the Govt.,
Ministry of Social Justice and Empowerment,
Shastri Bhavan, Dr.Rajendraprasad Road,
New Delhi-110001.
- 2.The Director,
Dr.Ambedkar Foundation,
Ministry of Social Justice and Empowerment,
Govt. of India, 15, Janpath,
Delhi-110001.
- 3.The State of Tamil Nadu,
Rep. By The Principal Secretary to the Govt.,
Adi Dravidar and Tribal Welfare Dept.,
Chennai-600 009.
- 4.The Director of Social Welfare,
Social Welfare Dept.,
Chepauk, Chennai-5.
- 5.The District Collector,
O/o.The District Collector,
Trichy, Tiruchirappalli District.



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6.The District Social Welfare Officer,
O/o. the District Social Welfare Officer,
Tiruchirappalli.

...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondent No.2 to release the marriage Assistance fund, under the Dr.Ambedkar Scheme for Social Integration through Inter-caste Marriage, Marriage Assistance Scheme, by considering the application submitted by the petitioner before the respondent No.2 in F.No. 37-443/2016 DAF on the file of the respondent No. 2 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.S.Jeyasingh (R1 & R2)

Mr.K.S.Selvaganesan (R3 to R6)

Additional Government Pleader

ORDER

This writ petition has been filed for issuance of writ of mandamus, directing the second respondent to release the marriage assistance under the Dr.Ambedkar Scheme for Social Integration through Inter-caste Marriage, Marriage Assistance Scheme, by considering the application submitted by the petitioner.



2. The sixth respondent has filed a counter affidavit in this case and this counter affidavit gives the background of this case and the relevant portions are extracted hereunder:-

“3. It is respectfully submitted that the factual matrix involved in the present writ petition is given in nutshell as below:-

i. The Government of Tamil Nadu was pleased to issue 5 marriage assistance schemes to eligible persons under the aegis of the Social Welfare Department. In G.O. Ms. No. 49 Social Welfare and Nutritious Meal Programme (SW 3) Department dated 26.07.2011 the Government of Tamil Nadu formulated the scheme of granting marriage assistance of Rs.50,000/- along with 8 grams gold sovereign) for making Thirumangalayam be given to Women Graduate/Diploma holders.

ii. The Government of Tamil Nadu was pleased to issue G.O. Ms. No. 191 Social Welfare and Noon Meal Programme Department dated 12.10.2007 prescribing guidelines for "Anjugam Ammaiyaar Memorial Inter-caste marriage assistance" by mandating that for seeking inter-caste marriage assistance, application should be made within two years from the date of marriage.

iii. Thereafter, the Government of Tamil Nadu was pleased to issue G.O. Ms. No. 46 Social Welfare and Nutritious Meal Programme (SW-3) Department dated 08.07.2011 renaming the scheme as "Dr. Muthulakshmi Reddy Ninavu Inter-caste Marriage Assistance Scheme" and hence the scheme came into being with effect from



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08.07.2011.

iv. *The Petitioner herein applied for marriage assistance under Dr. Muthulakshmi Ninivu Inter-caste marriage scheme through on line vide Application No. 20150302/15/000106 dated 14.12.2015.*

v. *The said application was accepted and marriage assistance under Dr. Muthulakshmi Ninaivu Inter-caste marriage scheme was sanctioned vide Pro. 2016/00001 dated 14.02.2017. But the Petitioner vide his request dated 07.02.2017 has informed that since he applied for marriage assistance under Dr. Ambedkar Scheme from the Government of India, his application for Dr. Muthulakshmi Ninaivu Inter-caste marriage scheme may be cancelled. Hence his request was accepted and the marriage assistance sanctioned above was cancelled and requested by the Director of Social Welfare in Roc. No. 26471/M NI(1)/2016 dated .11.2016, the above cancellation was informed with a recommendation to sanction marriage assistance under Dr. Ambedkar Scheme was sent subject to eligibility vide Roc. No. 174/A1/2012 dated 15.02.2017 by District Social welfare Officer duty on that date."*

3. Heard Mr.R.Alagumani, learned counsel for the petitioner, Mr.S.Jeyasingh, learned counsel for the respondents 1 and 2 and Mr.K.S.Selvaganesan, learned Additional Government Pleader for the respondents 3 to 6.



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4. It is clear from the counter affidavit filed by the sixth respondent that already the claim made by the petitioner has been placed before the second respondent. Hence, there shall be a direction to the second respondent to act upon the claim made by the petitioner and the recommendation made by the sixth respondent through proceedings dated 15.02.2017 and pay necessary marriage assistance fund under the aforesaid scheme to the petitioner within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

5. This writ petition is disposed with the above directions. No costs.

11.10.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
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N.ANAND VENKATESH, J.

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TO:-

- 1.The Principal Secretary to the Govt.,
Adi Dravidar and Tribal Welfare Dept.,
Chennai-600 009.
- 2.The Director of Social Welfare,
Social Welfare Dept.,
Chepauk, Chennai-5.
- 3.The District Collector,
O/o.The District Collector,
Trichy, Tiruchirappalli District.
- 4.The District Social Welfare Officer,
O/o. the District Social Welfare Officer,
Tiruchirappalli.

Order made in
W.P.(MD)No.2306 of 2021

Dated:
11.10.2023