



WP(MD)No.5914 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2023

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

WP(MD)No.5914 of 2020

K.Muthumari

... Petitioner

Vs.

1.The District Collector,
Tenkasi District.

2.The Deputy Direcotr (Health),
District Medical Office,
Tenkasi, Tenkasi District.

3.The Joint Director,
Health Services,
Sankarankovil,
Tenkasi District.

4.The Rural Development Officer,
Primary Health Centre,
Sernthamaram,
Sankarankovil Taluk,
Tenkasi District.

... Respondents



WP(MD)No.5914 of 2020

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the first respondent to take necessary steps to pay a sum of Rs.18,000/- under Dr.Muthulakshmi Reddy Maternity Benefit Scheme within a stipulated period fixed by this Court.

For Petitioner : Mr.V.T.Prabakaran
For Respondents : Mr.J.John Rajadurai,
Government Advocate

ORDER

This is a rather unfortunate case where a benefit which is due has been denied to the true beneficiary by keeping her request pending.

2. The facts in brief are herein below set out.

2.1. The petitioner comes from a family which is living below the poverty line. Her husband is a coolie worker and they have a son namely Mahesh Kumar, who is doing his 9th standard in the Government Boys Higher Secondary School, Sankarankovil. In the year 2017, the



WP(MD)No.5914 of 2020

petitioner had conceived once again and she had registered her pregnancy on 26.04.2017. On 23.11.2017, she was blessed with a son, who is named Mukilan. The child was born in the Government Medical College Hospital, Tirunelveli.

2.2. It is the case of the petitioner that the Central Government and the State Government have been implementing various schemes to benefit pregnant ladies as well as the children with the sole aim of reducing death during delivery. The Tamil Nadu Government is providing financial assistance under the Scheme called 'Dr.Muthulakshmi Reddy Maternity Benefit Scheme' under G.O.Ms.No.184, Health and Family Welfare Department dated 11.09.2006, the Government has decided to provide financial assistance to the women living below the poverty line for the first two deliveries. The amount which was originally fixed at Rs.6,000/- was enhanced to Rs.12,000/- by G.O.Ms.No.276 dated 03.11.2011 and it was also decided to release the financial assistance in three installments. Thereafter, by G.O.Ms.No.40 dated 20.02.2017, the financial assistance was further enhanced to Rs.



WP(MD)No.5914 of 2020

18,000/- and by virtue of G.O.Ms.70 dated 02.03.2018, pregnant ladies were entitled to the aforesaid financial assistance together with 'Amma Maternal Nutrition Kit'.

2.3. The petitioner would submit that she is clearly entitled to the financial assistance and she had submitted a representation before the first respondent. The first respondent had forwarded it to the third respondent for necessary action. The third respondent in turn forwarded the communication to the fourth respondent for necessary action. However, none of the respondents have come to the rescue of the petitioner or responded to her representations dated 08.07.2019, 22.07.2019, 19.08.2019, 05.10.2019 and 10.11.2019. Therefore, the petitioner has come forward with the above writ petition in question.

3. The learned Government Advocate, on instructions, would submit that the Scheme is in vogue and the petitioner fulfils the parameters laid down there for availing the benefit of the scheme. He would submit that the respondents have agreed to pay the sum.



WP(MD)No.5914 of 2020

WEB COPY

4. Heard the learned counsels on either side.

5. In view of the submissions of the learned Government Advocate, this writ petition is disposed of with a direction to the respondents to pay the sum entitled to the petitioner within a period of two weeks from the date of receipt of a copy of this order. No costs.

31.03.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

mbi

To

1.The District Collector,
Tenkasi District.

2.The Deputy Direcotr (Health),
District Medical Office,
Tenkasi, Tenkasi District.



WEB COPY



WP(MD)No.5914 of 2020

P.T.ASHA, J.

mbi

3.The Joint Director,
Health Services,
Sankarankovil,
Tenkasi District.

4.The Rural Development Officer,
Primary Health Centre,
Sernthamaram,
Sankarankovil Taluk,
Tenkasi District.

WP(MD)Nos.5914 of 2020

31.03.2023