



W.P.(MD) No.11491 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2023

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.11491 of 2020

Kasinathan

... Petitioner

/vs./

1.The Commissioner,
Social Welfare Department,
Chepauk,
Chennai-5.

2.The District Collector,
District Collectorate,
Trichy District.

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

4.The Block Development Officer,
Poovalur Union,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to sanction and pay the



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petitioner the Marriage Assistance Amount of Rupees Fifty Thousand and Gold Coin of 8 grams under the Moovalur Ramamirtham Ammaiyar memorial Marriage Assistance Scheme implemented by the Social Welfare department of the Government of Tamil nadu.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.T.Amjadkhan
Government Advocate

ORDER

Welfare schemes, which are sought to be given to the eligible persons by the Government, have sought to be denied by the Government Officials and this writ petition is a classic example of the same.

2.The petitioner herein has moved this writ petition for issuing a Writ of Mandamus to the respondents to sanction and pay the marriage assistance amount of Rs.50,000/- together with the gold coin of 8 gms, which is payable under the Moovalur Ramamirtham Ammaiyar Memorial Marriage Assistance Scheme, which has been implemented by the Social Welfare Department of the Government of Tamil Nadu.



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3.It is the case of the petitioner that he belongs to the Scheduled Caste and is an agricultural Coolie. He had scheduled the wedding of his daughter, Anandhi with one Sivakumar on 05.06.2017. Before the marriage was solemnized, he had submitted an online application on 03.06.2017 and a detailed application to the fourth respondent to provide the amounts under the said scheme. However, the same has not been given to him. The petitioner would submit that he had annexed all the requisite documents along with his application, which also included the income certificate given by the Village Administrative Officer. Despite the same, he has not received the said amounts. Therefore, he has filed the above writ petition.

4.A reading of the counter filed by the third respondent would indicate that along with the application form, Xerox copy of the transfer certificate, mark certificate, family card, income certificate of the respective Tahsildars and a copy of the marriage invitation had to be uploaded. The application of the petitioner has not been considered only on the ground that the income certificate, which is the primary document, has not been enclosed.



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5.Heard the learned counsels on either side.

6.A mere perusal of the documents filed along with the writ petition particularly the income certificate clearly show that the annual income of the petitioner is only a sum of Rs.48,000/-. The certificate would further indicate that the same is issued after enquiry by the Zonal Deputy Tahsildar of the village in question.

7.In the light of the above, the reason given for not providing the benefits of the scheme is absolutely without any basis. Even assuming that the income certificate had not been submitted, the respondents could have demanded production of the same and the respondents ought not to have kept the application pending. It is also brought to the notice of this Court that this Court has on earlier occasions granted similar relief.

8.In the light of the above discussion, the Writ Petition is allowed. The marriage assistance amount as well as the gold coin of 8 gms., shall be disbursed



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to the petitioner within a period of four weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

08.06.2023

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To

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P.T.ASHA, J.

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