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W.P.No.29235 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.29235 of 2023

K.Vimaladevi

... Petitioner

Vs.

1.Dr.Ambedkar Foundation

Rep. By Its Director,
Ministry of Social Justice and Empowerment,
Government of India, Ground Floor,
Narcotics Control Bureau Building,
West Block-I, Wing No.VII,
R.K.Puram, New Delhi 110066.

2.The District Social Welfare Officer,
Collectorate Campus,
Coimbatore-641018.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 1st respondent to disburse the benefit under Dr.Ambedkar Scheme of Social Integration for Inter-Caste Marriage within the stipulated time fixed by this Honourable Court on petitioner's application dated 22.12.2018 and as per petitioner's last representation dated 03.04.2023.



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For Petitioner : Mrs.T.Kalpanadevi
For Respondents :
(for R1) : Mr.J.Madanagopal Rao
(for R.2) : Mr.K.Surendran, Additional Govt.Pleader

ORDER

The relief sought for in the present writ petition is to direct the first respondent to disburse the benefit under Dr.Ambedkar Scheme of Social Integration for Inter-Caste Marriage.

2. The petitioners states that she married Mr.D.Ramesh and it is an intercaste marriage. Therefore, the petitioner is eligible to avail the benefit of certain Central Government Schemes extended to the intercaste married couples. The applications submitted by the petitioner was not considered. Thus, the present writ petition came to be instituted.

3. The learned counsel appearing on behalf of the respondents would submit that requisite documents are to be submitted by the petitioners for scrutinising the case for the purpose of extending the benefits granted under the Schemes.



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4. Paragraph Nos. 5 and 6 of the counter affidavit filed by the respondents reads as under :

“5. The respondent submit that the following documents required for scrutinizing the case has not been furnished by the couple:-

- a) Application Proforma.*
- b) Caste Certificate of the couple.*
- c) Marriage Certificate of the couple.*
- d) Religion certificate- in case marriage is registered other than Hindu Marriage Act 1955 (Annexure-1 of the Scheme).*
- e) First Marriage Affidavit of the couple.*
- f) Recommendation letter from sitting MP/MLA.*
- g) Recommendation letter from District Magistrate/District Collector.*
- h) Aadhaar Card of the couple duly signed.*
- i) PAN card of the couple duly signed.*
- j) First Page of passbook of joint account is State Bank of India.*

6. The respondent submit that, the eligibility criteria is mentioned in the scheme in para III is following:-

- 1. An inter-caste marriage, for the purpose of this scheme means a marriage in which one of the spouses belongs to Schedule Caste and the other belongs to a Non- Scheduled Caste.*
- 2. The marriage should be valid as per the law and duly*



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registered under the Hindu Marriage Act 1955, an affidavit of their legally married and in matrimonial alliance would be submitted by the couple.

3. In case, where marriage is registered other than Hindu Marriage Act 1955, the couple is required to furnish a separate certificate as per Annexure-1 of the Format.

4. No incentive is available on second or subsequently marriage.

5. Proposal would be treated as valid if submitted within one year of marriage.

6. If the couple has already received any incentive from the State Government / UT administration for this purpose, the amount approved / released to the couple will be adjusted from the total incentive that could be released to them under this scheme.

5. In view of the fact that the petitioner has to submit all the requisite documents as stated by the respondents, the said application is to be considered.

6. Therefore, the petitioner is at liberty to submit all the relevant documents once again to the competent authority and in the event of receiving all those documents, the case of the petitioner is to be considered on merits and in accordance with law by the respondents.

7. Accordingly, the writ petition stands disposed of. No costs.



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(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

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To

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S.M.SUBRAMANIAM. J.,

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