



W.P.(MD)No.14882 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.14882 of 2018

and

W.M.P(MD)Nos.13426 & 13427 of 2018

The Secretary,
Arasan Rural Development Society,
129-D, Anna Salai, Kalakad,
Tirunelveli District - 627 501.

...Petitioner

-Vs-

1.The Union of India,
Rep. By its Secretary,
Ministry of Women and Child Development,
New Delhi.

2.The State of Tamil Nadu,
Rep. By its Secretary,
Department of Social Welfare and
Nutritious Meal Programme,
Fort St. George Chennai – 600 009.

3.The Director cum Mission Director,
Integrated Child Development Services Scheme,
Tharamani, Chennai – 600 113.

4.The District Programme Officer,
Integrated Child Development Services Scheme,
Tirunelveli, Tirunelveli District.

5.The Child Development Programme Officer,
Integrated Child Development Services Scheme,
Kalakad, Tirunelveli District.

...Respondents



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Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the 3rd respondent Director cum Mission Director, Integrated Child Development Services Scheme vide Roc.No. 208/NC-III/2017, dated 27.02.2018, quash the same in so far as indicating non functioning of a Creche unit i.e. Serial No.3 is concerned and further direct the respondents to permit the petitioner to continuously run a creche unit i.e. Serial No.3 in the impugned order, and disburse grant to a Creche unit from 01.04.2017 in order to implement “Rajiv Gandhi National Creche Scheme”.

For Petitioner : Mr.S.Xavier Rajini

For Respondents : Mr.P.Subbiah
Central Government Standing Counsel
for R1
Mr.S.P.Maharajan
Special Government Pleader
for RR2 to 5

ORDER

This writ petition has been filed challenging the order passed by the third respondent, dated 27.02.2018, thereby declared the petitioner as non-functional Creche and stopped all the grants.



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2.The petitioner is the registered Society under the Tamil Nadu Societies Registration Act. He is running a Creche in the remote area and effectively implementing “Rajiv Gandhi National Creche Scheme” since 2003. The said scheme was introduced for working women who needs support to care about their children. The said scheme is implemented through the volunteer organisation with the Government aid. On inspection, the petitioner is not running any Creche in the given address and based on inspection report submitted by the fourth respondent, the non-functioning of the Creche deemed to be closed after 31.03.2017. Thereafter, the grants for the above said Creche was closed.

3.The learned Central Government Standing Counsel appearing for the first respondent would submit that while implementing the said scheme, the Government aid was upto 90% of the total expenditure and the private non-government organisation were permitted to run their Creche. In the year 2018, the Government has taken over all the Creches with 100% aid. Insofar, the petitioner is concerned, if they are running their Creche on their own, they are entitled for grants from the Government under the “Rajiv Gandhi National Creche Scheme”.



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4.In view of the above, this Court finds no infirmity or illegality in the order passed by the third respondent. Hence, this writ petition is devoid of merits and is liable to be dismissed.

5.Accordingly, this writ petition stands dismissed. No costs.
Consequently, connected miscellaneous petitions are also closed.

19.11.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

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New Delhi.
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G.K.ILANTHIRAIYAN. J,

RJR

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