



W.P(MD)No.18983 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.18983 of 2018

Esakkithurai

... Petitioner

Vs

1.The Director,
Dr.Ambedkar Foundation,
Ministry of Social Justice and Empowerment,
Government of India,
No.15, Janapath,
New Delhi - 110001.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent No.1 to grant the financial assistance a sum of Rs.2,50,000 (Two Lakhs and Fifty Thousand rupees) to the petitioner under the Dr.Ambedkar Scheme for Social Integration through Inter-Caste Marriages within a stipulated time.



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For Petitioner : Mr.R.Karunanidhi
For R1 : No appearance
For R2 : Mr.A.Baskaran
Additional Government Pleader

ORDER

Seeking incentive under Dr.Ambedkar Scheme for Social Integration through Inter-Caste Marriages, the petitioner has filed an application and filed this writ petition for a Mandamus, directing the first respondent to grant the incentive to the petitioner.

2.The case of the petitioner is that the petitioner belongs to Hindu Pallar community, which is scheduled caste community and he married a Christian community girl, which comes under Backward Community. The marriage was performed on 22.08.2016. Therefore, the petitioner has applied under the scheme for incentive. However, the respondents have not considered the same. Therefore, the petitioner has filed this writ petition in the year 2018.



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3.The learned Additional Government Pleader appearing for the second respondent submits that the petitioner has married a Christian girl and registered his marriage under the Special Marriage Act before the Sub Registrar Office, Tirunelveli. He has not registered his marriage under the Hindu Marriage Act, 1955 and therefore the petitioner is not entitled for incentive as provided under the scheme.

4.The Government is providing incentive to appreciate the socially bold step of an Inter-caste marriage, taken by the newly married couple. As per the scheme, a marriage in which one of the spouses belongs to Scheduled Caste and the other belongs to a Non-Scheduled Caste are entitled to get the benefit. The marriage should be valid as per the law and duly registered under the Hindu Marriage Act, 1955. Here, in this case, the petitioner has registered his marriage under the Special Marriage Act and not under the Hindu Marriage Act,1955.



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5.In view of the above and recording the submission made by the learned Additional Government Pleader, this writ petition is closed. No costs.

26.03.2024

NCC: Yes/No
Index:Yes
Internet:Yes
vrn

To

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B.PUGALENDHI, J.

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