



W.P(MD)No.26.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26396 of 2023

Vinoth Krishna

.. Petitioner

Vs

1.The Director,
Dr.Ambedkar Foundation,
Ministry of Social Justice and Empowerment,
Government of India,
No.15, Janapath,
New Delhi-110 001.

2.The District Collector,
District Collector Office,
Ramanathapuram,
Ramanathapuram District.

..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” by considering petitioner's application Lr.No.N4/38804/2020 dated 02.11.2020 within a stipulated time that may be fixed by this Court.



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For Petitioner

:Mr.R.Karunanidhi

For R1

:Mr.V.Malaiyendran

For R2

:Mr.D.Gandhiraj

Special Government Pleader

ORDER

The Petitioner has filed this Writ Petition seeking a direction to the first respondent to grant the financial assistance of 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” by considering petitioner's application Lr.No.N4/38804/2020, dated 02.11.2020.

2. Heard Mr.R.Karunanidhi, learned counsel appearing for the petitioner, mr.V.Malaiyendran, learned counsel appearing for the first respondent and Mr.D.Gandhiraj, learned Special Government Pleader appearing for the second respondent.

3. The case of the petitioner is that the petitioner belonged to Hindu-Thuluva Velalar caste which falls under Backward Caste community. He married one Anitha



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daughter of Nagarajan on 21.08.2020. She belongs to Hindu-Pallar caste which falls under scheduled caste. Their marriage was solemnized as per Hindu religious rites and customs on 21.08.2020 onwards and the same was registered under the Hindu Marriage Act, 1955 vide Marriage Serial No.70/2020 on the file of the Joint No.II, Sub-Registrar Office, Ramanathapuram, dated 18.09.2020. They are living together as husband and wife from 21.08.2020. The Central Government brought the new scheme for Inter-Caste marriage in the year 2013 and known as the Dr.Ambedkar scheme for social Integration through Inter-Caste Marriage, is meant to enable such couples who have taken a “social bold step” to settle down in the initial phase of their married life. In order to avail the incentive, the scheme's pre-condition says that it should be their first marriage, and it should be registered under the Hindu Marriages Act, with the proposal being submitted with necessary certificates obtained from the concerned authorities. Now the Central Government has decided to give Rs.2.5 lakhs incentive to every inter-caste marriage involving a Dalit. After the marriage, the petitioner has obtained Inter-Caste Marriage Certificate from the Tahsildar, Ramanathapuram Taluk, dated 24.09.2020 vide Certificate No.TN-1120200923127. The petitioner and his wife have jointly submitted an application to the second respondent office and social welfare office on 02.11.2020 for getting benefit under the scheme of Dr.Ambedkar scheme for social Integration through inter caste marriage. As per the direction of the Dr.Ambedkar Foundation, State Government SC/ST Department, officials conducted a



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spot verification and got statements from the petitioner. After scrutinizing his application, the concerned Social Welfare officer recommended the application to the first respondent through the second respondent vide office proceeding in Lr.No. 1665/A1/2020 dated 18.12.2020. On 20.07.2021 the second respondent had sent a letter to the first respondent enclosed with all the particulars, but they have not paid the scheme amount. Hence, the petitioner has sent a representation, dated 24.08.2023 to the respondents, but till date the same was not considered by the respondents. In the similar facts, one T.Murugesh has filed the writ petition in W.P(MD)No.10288 of 2020 and this Court by order dated 29.09.2020 has allowed the writ petition. The petitioner is being a poor family seeks for intervention of this Court.

4. The learned Central Government Standing Counsel appearing for the first respondent by producing a letter in EO.80817, dated 18.12.2023 sent by the Dr.Ambedkar Foundation, Ministry of Social Justice and Empowerment, Government of India submitted that as per the letter the proposal would be treated as valid if submitted within one year of marriage. The complete proposal needs to be recommended by an MP/MLA and to be forwarded to the Foundation through the concerned District Magistrate/District Collector/State Welfare Department with their comments/recommendations. Accordingly, the petitioner has not furnished the



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following documents:

- a)Application Proforma
- b)Caste Certificate of the Couple.
- c)Marriage Certificates
- 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)Aadhar Card of the couple duly signed.
- i)PAN Card of the couple duly signed.
- j)First Page of Passbook of jt Account in State Bank of India.

5.The learned Standing Counsel appearing for the first respondent would further submit that if the petitioner produce the said papers, the first respondent immediately will consider the same.

6. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the the petitioner to give fresh set of all the documents required by the respondents for considering the application within a period of two weeks from the date of receipt of a copy of this order. On receipt of all the documents, the respondents shall consider and pass appropriate orders within a period of twelve weeks thereafter.



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7. With the above direction, the writ petition stands disposed of. No costs.

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Index : Yes/No

Internet: Yes/No

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To

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2.The District Collector,
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V.BHAVANI SUBBAROYAN, J.

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