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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 21-11-2025**

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM  
AND  
THE HONOURABLE MR.JUSTICE P. DHANABAL**

**WA No. 2993 of 2023  
and  
CMP No. 24806 of 2023**

1.The Commissioner  
Social Welfare Department, Chepauk,  
Chennai-600 005

2.The District Collector  
Office of District Collector,  
Collectorate, Erode District 638011.

3.The Special Deputy Collector  
(General)  
Social Welfare Scheme Department,  
Collectorate, Erode  
Erode District 638 011

Appellant(s)

Vs

1.Sithammal



2.The Block Development Officer  
Office of Block Development Officer,  
Ammappettai, Erode District 638 311.

Respondent(s)

**PRAYER**

Writ Appeal filed under Clause 15 of Letters Patent, to set aside the impugned order dated 08.12.2022 made in WP.No. 33158 of 2022 and allow the above writ appeal.

For Appellant(s): Mr.J.Ravindar  
Additional Advocate General  
Mr.S.Senthil Murugan  
Special Government Pleader  
and Mr.Azizulla Khan  
Government Advocate

For Respondent(s): Mr.V.Elangovan For R1

No Appearance For R2

**JUDGMENT**

**(Judgment was delivered by S.M.Subramaniam J.)**

The State preferred the present writ appeal challenging the writ order dated 08.12.2022 passed in W.P.No.33158 of 2022. The 1<sup>st</sup> respondent/writ petitioner filed writ of mandamus seeking a direction to the appellants to



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provide marriage financial assistance to the petitioner's daughters marriage namely Sangeetha under the scheme of "Moovalur Ramamirtham Ammaiyyar Memorial Marriage Financial Assistance" based on the application dated 11.02.2021.

2. The Writ Court has directed the appellants to consider the representation submitted by the 1<sup>st</sup> respondent and pass appropriate orders.

3. Question arises, whether a Writ Court can issue a direction to consider a representation submitted by a writ petitioner in a routine manner. The Constitutional Courts have held that, to entertain a writ petition, a person approaching the Court has to establish his/her right at the first instance. Mechanically issuing a direction to consider a representation would do no service to the cause of justice. Contrarily, the litigant will be back again by filing further writ petitions, which will result in not only multiplicity of proceeding but undesirable. Therefore, to entertain a writ petition, the Court has to ascertain, whether a person has a right or any of his right is infringed under Law.



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4. Mere representation to the competent authority would be insufficient.

Welfare schemes announced by the Government to provide marriage financial assistance is subject to eligibility and other criteria fixed under the scheme.

The authorities have to scrupulously follow the terms and conditions stipulated under the policy for the purpose of extending the benefits of the scheme

5. The learned Additional Advocate General appearing on behalf of the State would submit that though the application was submitted by the 1<sup>st</sup> respondent prior to cancellation of welfare scheme, it was not considered since the scheme itself has been cancelled by the Government with effect from 18.03.2022. Once the scheme is cancelled and in the absence of any clause to consider the application submitted prior to the scheme, the authorities are not under obligation to consider the same.

6. The Government scheme is a policy decision and Court cannot extend the scope of the scheme for the purpose of considering the application submitted prior to the abolition, which would not fall under the realm of the



powers of judicial review conferred under Article 226 of the Constitutional of India. Thus, the direction issued by the Writ Court to consider the representation would be of no assistance to the 1<sup>st</sup> respondent, since the scheme itself was abolished by the Government with effect from 18.02.2022 and it cannot be considered by the authorities as no such scheme was in force.

7. In view of the above factum, the writ order dated 08.12.2022 in W.P.No.33158 of 2022 is set aside and the Writ Appeal stands allowed. Consequently, the connected Miscellaneous Petition is closed. No costs.

**(S.M.SUBRAMANIAM J.)(P.DHANABAL J.)**

**21-11-2025**

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

The Block Development Officer  
Office of the Block Development Officer,  
Ammappettai, Erode District 638311.



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**S.M.SUBRAMANIAM J.  
AND  
P.DHANABAL J.**

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