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W.P.No.1492 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.1492 of 2022

Dr.Ramu Manivannan

.. Petitioner

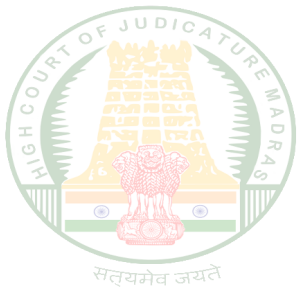
Vs

1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai – 600 009.

2.The Directorate,
Commissionerate of Rehabilitation and
Welfare of Non Resident Tamils,
4th Floor, Ezhilagam, Annex Building,
Chepauk, Chennai – 600 005.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to extend the pongal gift hampers announced by the Tamil Nadu Government through press release No.1132 dated 17.12.2021 also to the non-camp Sri Lankan Tamil refugees residing in Tamil Nadu.



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For the Petitioner : Mr.Arun Kasi
For the Respondents : Mr.C.Harsha Raj
Addl. Government Pleader

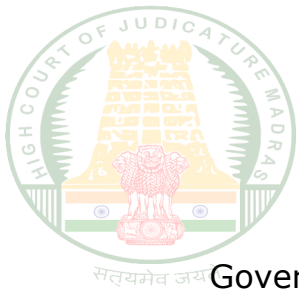
ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

This public interest litigation has been filed to seek a direction on the respondents to extend the Pongal gift hampers announced by the Tamil Nadu Government, through its Press release No.1132 dated 17.12.2021, to the non-camp Sri Lankan Tamil refugees residing in Tamil Nadu.

2. It is submitted on behalf of the petitioner that the Pongal gift hampers have not been given to the Sri Lankan Tamil refugees staying outside the camp, while it has been extended to the refugees staying within the camp. In this regard, the petitioner draws analogy to the benefits extended during the second phase of Covid-19 to the refugees staying outside the camp.

3. The writ petition has been opposed by learned Additional

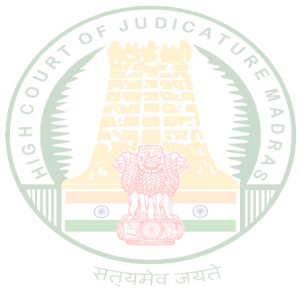


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Government Pleader. He submitted that the Government decided not to extend Pongal gift hampers to those who have not opted to stay in the refugees camp. They are not having ration cards and otherwise they are doing their own business or having jobs to survive well. Taking the aforesaid into consideration, the benefit of Pongal gift hampers has not been extended to the refugees staying outside the camp. It is further submitted that the benefit arising out of a scheme pursuant to Covid-19 was applied to the refugees even staying outside the camp for the reason that due to Covid-19 second phase their business or job was affected creating an abnormal situation which affected their livelihood. In such circumstances, the benefit of Covid-19 was extended to the refugees staying outside the camp, which was not the obtaining position as of today. Rather, the refugees staying outside the camp are doing well and, accordingly, the Government has taken a decision not to extend the benefit of Pongal gift hampers to the refugees staying outside the camp.

4. We have considered the rival submissions and also perused the materials available on record.



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5. The writ petition has been filed to direct the respondents to extend the benefit of Pongal gift hampers to the Sri Lankan Tamil refugees staying outside the camp. The reason for not extending the Pongal gift hampers has been explained by learned Additional Government Pleader. The refugees staying outside the camp are involved in the business or having jobs and, therefore, they opted to stay outside the camp without ration cards or control of the Government. Taking the aforesaid into consideration, the benefit of Pongal gift hampers has not been given to the refugees staying outside the camp.

6. As far as the extension of Covid-19 benefit arising out of the Covid-19 second phase is concerned, the reason for extension of such benefit has been given in the press release dated 19.06.2021. The benefit arising out of the Covid-19 second phase was given to the refugees staying outside the camp for the reason that their business or jobs was affected by the Covid-19 second phase, which is not the present scenario. Accordingly, the Government took a decision not to extend the benefit of giving Pongal gift hampers to those who are doing well in their own business or jobs, by staying outside the camp.



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We do not find any illegality in the policy decision taken by the Government so as to accede to the prayer made in the writ petition.

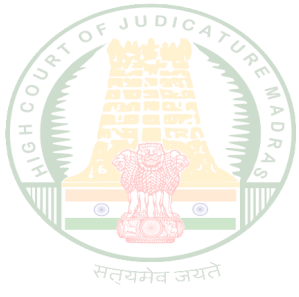
7. The writ petition is dismissed. No costs.

(M.N.B., ACJ) (P.D.A., J.)
31.01.2022

Index : Yes/No
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To:

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M.N.BHANDARI, ACJ
AND
P.D.AUDIKEVALU, J.

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