

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

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

W.P.No.12035 of 2021

Grace Banu

.. Petitioner

Vs

- 1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai – 600 009.
- 2.The Government of Tamil Nadu,
rep. By its Secretary,
Cooperation, Food and Consumer Protection Department,
Secretariat, Fort St. George,
Chennai – 600 009.
- 3.The Government of Tamil Nadu,
rep. By its Secretary,
Social Welfare & Nutritious Meal Programme Department,
Secretariat, Fort St. George,
Chennai – 600 009.
- 4.The Government of Tamil Nadu,
rep. By its Secretary,
Health & Family Welfare Department,
Secretariat, Fort St. George,
Chennai – 600 009.

5.The Government of Tamil Nadu,
rep. By its Secretary,
Revenue and Disaster Management Department,
Secretariat, Fort St. George,
Chennai – 600 009.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to issue a Corrigendum to the G.O.(Ms) 37 dated 07.05.2021 of the Department of Cooperation, Food and Consumer Protection to extend Covid-19 cash relief Rs.4000/- to transgender persons in Tamil Nadu who do not possess Ration Cards; direct the first installment of Rs.2000/- of cash relief to be paid in the month of May 2021 under the G.O.(Ms) 37 dated 07.05.2021, is also paid to transgender person who do not have ration cards, either on the basis of their transgender identity cards or any other government ID; to conduct awareness programmes for transgender persons in the State of Tamil Nadu, regarding Covid-10 vaccination, especially to clarify and assure them on the safety of vaccines for those who are undergoing hormone therapy and other treatment and to conduct special vaccination drives for transgender persons in Tamil Nadu by assisting them to register online and get special vaccination slots in local community health centres.

For Petitioner

: Ms.Jayna Kothari
Senior Advocate
for M/s.C.Prabhu

For Respondents : Mr.R.Shunmugasundaram
Advocate-General
assisted by
Ms.Shabnam Banu
Counsel for the State

ORDER

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

The matter pertains to the cash relief given to several classes of persons on account of the suffering faced due to the pandemic.

2. Pursuant to the request of the court, the State appears to have gone out of its way to ensure that transgenders receive the first installment of cash relief of Rs.2,000/- each. A problem arose at the initial stage since several of the transgenders were not registered. Again, at the request of the court, the State waived the requirement of registration cards to be produced and extended the aid to eligible transgenders on the basis of any form of identification card. There is no grievance as to the distribution of the first tranche of Rs.2,000/- by way of cash relief.

3. The petitioner hopes that the second installment of a further

Rs.2,000/- would also be distributed to all transgenders without insisting on formalities, like in case of the first installment. The State through learned Advocate-General assures the court that the same protocol would be followed and all eligible transgenders seeking the aid will be duly granted the second installment of Rs.2,000/- along with the release of such second installment to other classes of persons.

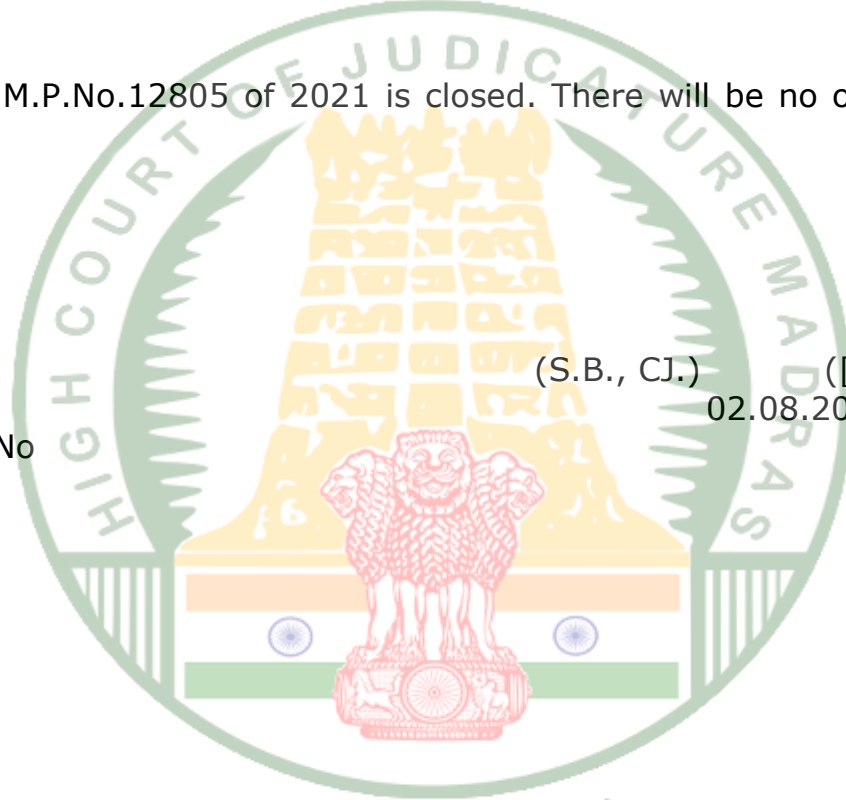
4. It is the further case of the petitioner that some special measures be adopted by the State to vaccinate the transgenders. While it may not be ideal to create groups and sub-groups and require the State to deal with every group or sub-group as a special class, it may also be noted that there can be no reasonable apprehension on the part of the transgenders in this State that they would be discriminated against when it came to vaccination.

5. However, it will be open to the State to provide special windows to transgenders or other classes of persons at any place or places so that such vulnerable sections receive their vaccinations as expeditiously as possible.

6. W.P.No.12035 of 2021 is disposed of in the hope that the second installment which is due to the transgenders would be released as seamlessly as the first installment and that the transgenders would all be vaccinated within a period of three months from date.

W.M.P.No.12805 of 2021 is closed. There will be no order as to costs.

Index : No
bbr



(S.B., CJ.) ([P.D.A., J.)
02.08.2021

सत्यमेव जयते

WEB COPY

To:

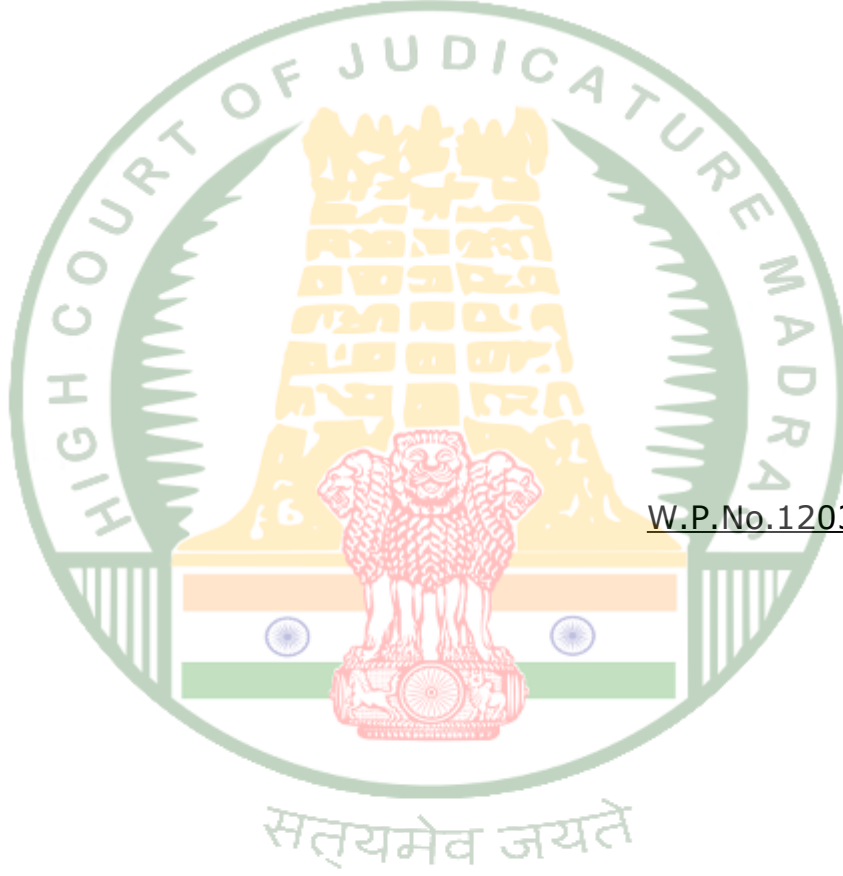
- 1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai – 600 009.
- 2.The Government of Tamil Nadu,
rep. By its Secretary,
Cooperation, Food and Consumer Protection Department,
Secretariat, Fort St. George,
Chennai – 600 009.
- 3.The Government of Tamil Nadu,
rep. By its Secretary,
Social Welfare & Nutritious Meal Programme Department,
Secretariat, Fort St. George,
Chennai – 600 009.
- 4.The Government of Tamil Nadu,
rep. By its Secretary,
Health & Family Welfare Department,
Secretariat, Fort St. George,
Chennai – 600 009.
- 5.The Government of Tamil Nadu,
rep. By its Secretary,
Revenue and Disaster Management Department,
Secretariat, Fort St. George,
Chennai – 600 009.

WEB COPY

W.P.No.12035 of 2021

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

bbr



W.P.No.12035 of 2021

WEB COPY

02.08.2021