

In the High Court of Judicature at Madras

Dated: 23.12.2014

Coram:

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MRS.JUSTICE ARUNA JAGADEESAN

Writ Petition No.34691 of 2014

R. Vellaisamy .. Petitioner

vs.

1. The District Collector
Karur District
Karur.
2. The Revenue Divisional Officer
Kulithalai
Karur District.
3. The State Level Scrutiny Committee,
rep. by its Chairman & Secretary
to Govt. of Tamil Nadu,
Adi Dravidar & Tribal Welfare Dept.,
Secretariat, Chennai. .. Respondents

[R3 suo motu impleaded vide order dated 23.12.2014]

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a writ of certiorarified mandamus, calling for the records relating to second respondent's order made in Na.Ka.No.A2/2018/2014 dated 25.7.2014, quash the same and consequently direct the respondents to issue Hindu Urali (ST) Community Certificate to the petitioner as well as to the children of the petitioner viz., 1. V. Loganathan and 2. V. Prabakhar.

For petitioner : Mr.L. Chandrakumar
For respondents : Mr.R.Rajeswaran,
Special Government Pleader

O R D E R

[Order of the Court was made by M.Jaichandren, J.]

Heard the learned counsels appearing on behalf of the parties concerned.

2. At this stage of the hearing of the Writ Petition, the learned counsel appearing on behalf of the petitioner had submitted that it would suffice, if the matter is placed before the third respondent for the issuance of the Community Certificate, as prayed for by the petitioner.

3. The learned counsel appearing on behalf of the respondents had submitted that the impugned proceedings of the second respondent may be set aside and the matter may be directed to be placed before the third respondent, for passing appropriate orders.

4. In view of the submissions made by the learned counsels appearing on behalf of the parties concerned and on a perusal of the records available, we are of the considered view that, in the given facts and circumstances, it would be appropriate to set aside the impugned order passed by the second respondent, and it is, accordingly, set aside. Further, we direct the second respondent herein to place the matter before the third respondent, within a period of four weeks from the date of receipt of a copy of this order, for considering the claims made by the petitioner, afresh, by causing an enquiry. On receipt of the relevant records relating to the issuance of the community certificate, the third respondent shall cause an enquiry and pass appropriate orders thereon, without being influenced by the observations made in the impugned order, dated 25.7.2014, by following the procedures established by law and by giving an opportunity of hearing to the petitioner, within a period of twelve weeks thereafter. The writ petition is disposed of, with the above directions. No costs.

-s/d-

Assistant Registrar()

Dt:3/2/2015

True Copy

Sub-Assistant Registrar

To

1. The District Collector
Karur District
Karur.

2. The Revenue Divisional Officer
Kulithalai
Karur District.

3. The Chairman and Secretary to
Government of Tamil Nadu
State Level Scrutiny Committee,
Adi Dravidar & Tribal Welfare Dept.,
Secretariat, Chennai.

+ 1 cc to Mr.L.Chandrasekaran, Advocate SR 63680

+ 1 cc to Govt.Pleader SR 63738

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