

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

WP(C).No. 16349 of 2015 (P)

PETITIONER(S):

**ANOOP CHIRANGOD, AGED 19 YEARS,
S/O NARAYANAN, PUTHENVAVALIL HOUSE,
PERUVALATHUPARMBA P.O., IRIKKUR AMSOM, KUNILINHA DESOM,
TALIPARAMBA TALUK, KANNUR DISTRICT.**

**BY ADVS.SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI**

RESPONDENT(S):

- 1. TAHSILDAR,
TALIPARAMBA TALUK, TALIPARAMBA P.O.,
KANNUR DISTRICT - 670 141.**
- 2. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
DEPARTMENT OF SOCIAL WELFARE, SECRETARIAT,
THIRUVANANTHAPURAM-1.**

BY GOVERNMENT PLEADER SRI.C.K.JAYAKUMAR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
12-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 TRUE COPY OF THE SECONDARY SCHOOL LEAVING CERTIFICATE OF THE PETITIONER.

EXT.P2 TRUE COPY OF THE CASTE CERTIFICATE DATED 21/6/2002 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P3 TRUE COPY OF THE COURSE CERTIFICATE ISSUED TO THE PETITIONER DATED 1/2/15.

EXT.P4 TRUE COPY OF THE NATIVITY CERTIFICATE ISSUED TO THE PETITIONER BY THE 2ND RESPONDENT DATED 21/1/15.

EXT.P5 TRUE COPY OF THE APPLICATION FOR ENTRANCE EXAMINATIONS SENT BY THE PETITIONER DATED 3/2/15.

EXT.P6 TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 31/3/15.

EXT.P7 TRUE COPY OF THE ORDER OF THIS HON'BLE COURT IN W.P(C) NO 15185/2012 DATED 29/6/2012.

EXT.P8 TRUE COPY OF THE PROVISIONAL COMMUNITY CERTIFICATE ISSUED TO THE PETITIONER'S SISTER ANILA BY THE 1ST RESPONDENT DATED 4/7/2012.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. VINOD CHANDRAN, J.

W.P.(C) No. 16349 of 2015 (P)

Dated this the 12th day of June, 2015

J U D G M E N T

The petitioner is concerned with the non consideration of Ext.P6 application for community certificate. The petitioner's claim is that the petitioner is born of an intercaste marriage, with the father belonging to the Thiyya community and the mother belonging to the Paniyan community. The petitioner claims that he has been brought up in the mother's community and he is entitled to reservation since the Paniyan community comes within the Schedule.

2. The learned Government Pleader appears and submits that Ext.P6 has already been rejected. However, no order is produced. In any event, it is to be noticed that an order passed by the Competent Authority under Section 5, is appealable under Section 12, of the Kerala (Scheduled Castes and Scheduled Tribes) Regulation of Issue of Community Certificates Act, 1996.

3. In such circumstance, if the application has been rejected, then the petitioner shall be issued with a certified copy of the order or if not considered till now, the same shall be considered and speaking order issued within two weeks from today. The petitioner would be entitled to seek the appellate remedy before the authority, provided under the afore cited Act.

The writ petition is closed leaving open all contentions of the petitioner.

Sd/-
K.VINOD CHANDRAN,
JUDGE