

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

WP(C).No. 22689 of 2009 (E)

PETITIONER :

**ASHIQ P.T.R. (ISSAC PETER),
PARACKAL HOUSE, KUMBALERI P.O.,
WAYANAD DISTRICT.**

BY ADV. SRI.P.BABU KUMAR

RESPONDENT(S):

- 1. THE THAHSILDAR,
TALUK OFFICE, S.BATHERY.**
- 2. KERALA PUBLIC SERVICE COMMISSION,
REP. BY ITS SECRETARY, P S C OFFICE, PATTAM,
THIRUVANANTHAPURAM.**
- 3. DISTRICT OFFICER,
KERALA PUBLIC SERVICE COMMISSION,
K.P.S.C. DISTRICT OFFICE, WAYANAD.**

**R1 BY SPL.GOVERNMENT PLEADER SMT. LALY VINCENT
R2 & R3 BY STANDING COUNSEL SRI.P.C.SASIDHARAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 13-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF THE CERTIFICATE ISSUED BY THE VICAR DATED 28/6/2008.**
- EXT.P2: COPY OF THE CERTIFICATE ISSUED BY THE ARYASAMAJAM DATED 28/11/2003.**
- EXT.P3: COPY OF THE GAZETTE NOTIFICATION DATED 27/2/2004**
- EXT.P4: COPY OF THE RECEIPT ISSUED BY THE 1ST RESPONDENT DATED 8/7/2008**
- EXT.P5: COPY OF THE INTIMATION ISSUED BY THE 1ST RESPONDENT DATED 26/6/2008**
- EXT.P6: COPY OF THE APPLICATION SUBMITTED BEFORE THE THAHSILDAR, KUNNATHUNADU DATED 27/6/2008**
- EXT.P7: COPY OF THE PROCEEDINGS OF THE VILLAGE OFFICER, VENGOOR DATED 28/6/2008**
- EXT.P8: COPY OF THE CERTIFICATE ISSUED BY THE 1ST RESPONDENT DATED 30/6/2008**
- EXT.P9: COPY OF THE MEMO ISSUED BY THE 3RD RESPONDENT DATED 31/7/2009.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.S.TO JUDGE

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K. Vinod Chandran, J

W.P.(C).No.22689 of 2009-E

Dated this the 13th day of July, 2015

JUDGMENT

The petitioner seeks 'Scheduled Caste' status on the contention that he had reconverted from the Christian community to Hindu Pulaya community, through Arya Samajam.

2. The petitioners' specific case is that his grandfather, who was a Hindu Pulaya, converted into Christianity. Though the certificate at Exhibit P1 issued by the Vicar of the Church would show that the petitioner's grandfather was belonging to the Pulaya Community, the same cannot be relied upon unless the petitioner produces a valid certificate which indicates that the petitioner's grandfather actually belonged to Pulaya community. It cannot be said that the petitioner's reversion to the Hindu Pulaya community would confer him the Scheduled Caste status, without he having proved his ancestors to be belonging to the said community. In such circumstances, the decision in ***K.P.Manu v. Scrutiny Committee for Verification of Community Certificate [(2015) 4 SCC 1]*** would not apply.

The writ petition, hence, would stand dismissed. No costs.

Sd/-

K.Vinod Chandran
Judge.

vkul/-

[true copy]