

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 20TH DAY OF OCTOBER 2015/28TH ASWINA, 1937

WP(C).No. 27651 of 2015 (F)

PETITIONER(S) :

**REMYA P.R. AGED 28 YEARS,
D/O.RAGHAVAN P.V., PALATTU HOUSE, VAYALA P.O.,
KADAPLAMATTOM VILLAGE.**

BY ADV. SRI.ABRAHAM THOMAS (PUTHURAN)

RESPONDENT(S)/RESPONDENTS :-:

- 1. THE TAHSILDAR,
TALUK OFFICE, MEENACHIL, KOTTAYAM - 686 507.**
- 2. THE VILLAGE OFFICER,
EDAKALATHUR VILLAGE, THRISSUR - 680 001.**
- 3. THE TAHSILDAR
THRISSUR TALUK, THRISSUR - 680 001.**

BY SMT.SANTHAMMA P.K., SPL.GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

AMV

WP(C).No. 27651 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS :

- EXHIBIT P1. COPY OF THE SECONDARY SCHOOL LEAVING CERTIFICATE OF THE PETITIONER.**
- EXHIBIT P2. COPY OF THE IDENTITY CARD ISSUED BY THE ELECTION COMMISSION OF INDIA.**
- EXHIBIT P3. COPY OF THE CERTIFICATE OF MARRIAGE ISSUED BY THE SECRETARY & REGISTRAR OF MARRIAGE (COMMON), KADAPLAMATTOM GRAMA PANCHAYAT, KOTTAYAM.**
- EXHIBIT P4. COPY OF THE CALL LETTER FOR INTERVIEW DATED 20.05.2015 ISSUED BY THE KERALA PUBLIC SERVICE COMMISSION.**
- EXHIBIT P5. COPY OF THE APPLICATION DATED 17.06.2015 SUBMITTED BY THE PETITIONER.**
- EXHIBIT P6. COPY OF THE REPORT ON THE APPLICATION FOR CASTE CERTIFICATE SUBMITTED BY THE VILLAGE OFFICER, KADAPLAMATTOM DATED 20.06.2015.**
- EXHIBIT P7. COPY OF THE COMMUNICATION DATED 24.06.2015 ISSUED BY THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS : **NIL**

/TRUE COPY/

PA.TO JUDGE

AMV

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 27651 of 2015

Dated this the 20th day of October, 2015

JUDGMENT

The petitioner born as a Scheduled Caste. She married to Christian Community. Her marriage was conducted at St.George Church, Elakkad Village, Meenachil Taluk, Kottayam District.

2. The petitioner now claims that she continues to remain as a Scheduled Caste even though she has married to a Christian. The petitioner insists for an issuance of caste certificate showing that she belongs to Scheduled caste based on school leaving certificate.

3. The question is whether the petitioner continues to remain as Scheduled Caste or whether she has been accepted as a member of Christian community. The school records cannot be a basis now for the issuance of caste certificate for obvious reason that the petitioner married to a Christian. The petitioner's request has not been refused by the Tahsildar.

4. The petitioner submits that she is eagerly waiting to get an appointment in public service based on the caste status of the petitioner and therefore any delay in this matter would deprive this chance.

4. This Court is of the view that the petitioner shall approach the Scrutiny Committee in terms of Section 8 of Act 11/1996. If petitioner approaches Scrutiny Committee, it shall enquire into the caste status of the petitioner. Needful shall be done to declare the caste status of the petitioner within a period of three months from the receipt of such request. It is open for the petitioner to make a request before the Scrutiny Committee to issue provisional certificate depend upon exigency. If the petitioner makes such a request, the same shall also be considered by the Committee.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE