

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22/6/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.10992 of 2015
and
M.P. No.1 of 2015

K. Jayavelu

... Petitioner

Vs

The Sub-Collector
Tirupattur
Vellore District 635 601.

... Respondent

Prayer:-Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records relating to the proceedings in No.RC.A1/6909/2010 dated 6/8/2014 on the file of the respondent and quash the same and direct the respondent to pass orders on the application of the petitioner dated 21/4/2009 in the light of the orders passed by this Court in W.P.No.2393 of 2014 dated 28/1/2014 for the issuance of community certificate to the petitioner and his son J.Mohnish that they belong to Kurumans(ST) Community.

For petitioner : Mr.V.Elangovan

For respondents : Mr.R.Rajeswaran
Special Government Pleader.

सत्यमेव जयते

O R D E R

(Order of the Court was made by SATISH K. AGNIHOTRI,J.,)

The case of the petitioner before us is that the petitioner, relying on a certificate dated 24/4/1984, issued in favour of his brother viz., Thorali, made an application on 21/4/2009 for issuance of community certificate to him and his son.

2. The said application has been in turn referred to the Director, Tribal Welfare Department for verification which is not required, particularly, in view of the fact that one of his family members had already been granted certificate after proper verification.

3. Mr.R.Rajeswaran, learned Special Government Pleader appearing for the respondent, on the other hand, would contend that the petitioner was required/ noticed to produce original certificate for verification which was not produced by him. As a consequence, the entire matter was referred to the Director, Tribal Welfare Department for verification and recommendation on its own merit and in accordance with law.

4. Be that as it may. The case has already been referred to the Director, Tribal Welfare, Chennai 600 005. Today, the Joint Director of Tribal Welfare, who present in Court, submits that necessary verification shall be done expeditiously and appropriate orders shall be passed within a period of two weeks.

5. In that view of the matter, no further direction need be issued to the respondent/Sub-Collector, Tirupattur at this stage. However, the Director, Tribal Welfare is directed to examine the issue, particularly in the light of the Community certificate issued in favour of the petitioner's brother and pass appropriate orders at the earliest, preferably within a period of two weeks from the date of receipt of the copy of this order.

6. Accordingly, this writ petition is disposed of. No costs. Consequently, M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mvs.

To

1.The Sub-Collector
Tirupattur
Vellore District 635 601.

WEB COPY

2.The Director,
Tribal Welfare Department,
Chennai 600 005.

+1cc to M/s.S.Doraisamy, Advocate, S.R.No.30542
+1cc to the Government Pleader, S.R.No.30470

W.P. No.10992 of 2015

SAI (CO)
CA(29/06/2015)



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