

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE V.DHANAPALAN
AND
THE HONOURABLE MR.JUSTICE G.CHOCKALINGAM

W.P.Nos.1345 and 1346 of 2015

1. Minor Vishal

2. Minor Sanjay

Both are represented by their father
and natural guardian

S.Narasimhan ... Petitioners in W.P.No.1345 of 2015

1. Ramachandran

2. Minor Yuvashree

Represented by her father
and natural guardian Ramachandran,
the first petitioner

... Petitioners in W.P.No.1346 of 2015

Vs.

The Sub Collector,

Thirukovilur, Villupuram Dt ... Respondent in both the Writ Petitions

Writ Petition No.1345 of 2015 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondent to issue Community Certificate to the petitioners as belonging to "Malaikuravan Community" based on the application dated 17.03.2014.

Writ Petition No.1346 of 2015 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondent to issue Community Certificate to the petitioners as belonging to "Malaikuravan Community" based on the application dated 17.03.2014.

For petitioners : Mr.V.Lakshminarayanan

For respondent : Mr.R.Rajeswaran, Spl.G.P.

ORDER

(The Order of the Court was made by V.Dhanapalan,J)

Heard Mr.V.Lakshminarayanan, learned counsel for the petitioners and Mr.R.Rajeswaran, learned Special Government Pleader who took notice for the respondent.

2. These Writ Petitions are filed by the petitioners for a direction to the respondent to issue Community Certificate to the petitioners as belonging to "Malaikuravan Community" based on the respective applications of the petitioners, dated 17.03.2014.

3. It is the claim of the petitioners that they belong to "Malaikuravan Community", which is classified as a Scheduled Tribe Community by the Government of Tamil Nadu. In W.P.No.1346 of 2015, the first petitioner applied to the authority of the respondent for issuance of Community Certificate for himself and for his minor daughter (second petitioner) and in W.P.No.1345 of 2015, the minor petitioners' father applied to the authority of the respondent for issuance of Community Certificate for his minor sons. It is the case of the petitioners that in support of their claim, they produced the Community Certificate issued to their brother's son Prakash. It is the further case of the petitioners that the respondent issued Community Certificate to their close relatives, i.e. sister Rajeswari, their brother's son Senthil Kumar, Girija, Thilagam, Abinesh and Ajith Kumar, through proceedings dated 17.01.2014. Therefore, the petitioners applied to the respondent-authority on 17.03.2014 for issuance of Community Certificates and the said applications are pending consideration. Hence, the petitioners have filed the above Writ Petitions for the relief stated supra.

4. Mr.R.Rajeswaran, learned Special Government Pleader appearing for the respondent, on oral instructions, submitted that the applications of the petitioners may be directed to be disposed of in accordance with law within a reasonable time that may be fixed by this Court and on giving opportunity to the parties concerned.

5. In view of the limited relief sought for by the petitioners and having regard to the facts and circumstances of the case and the submissions made by the learned counsel appearing for the parties as to the consideration of the petitioners' applications, dated 17.03.2014, without advertting into the merits of the case, the respondent is directed to consider the said applications of the petitioners, dated 17.03.2014 and pass appropriate orders on the same by disposing of the same, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the

petitioners and all other parties concerned. The Writ Petitions are disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

cs

Copy to

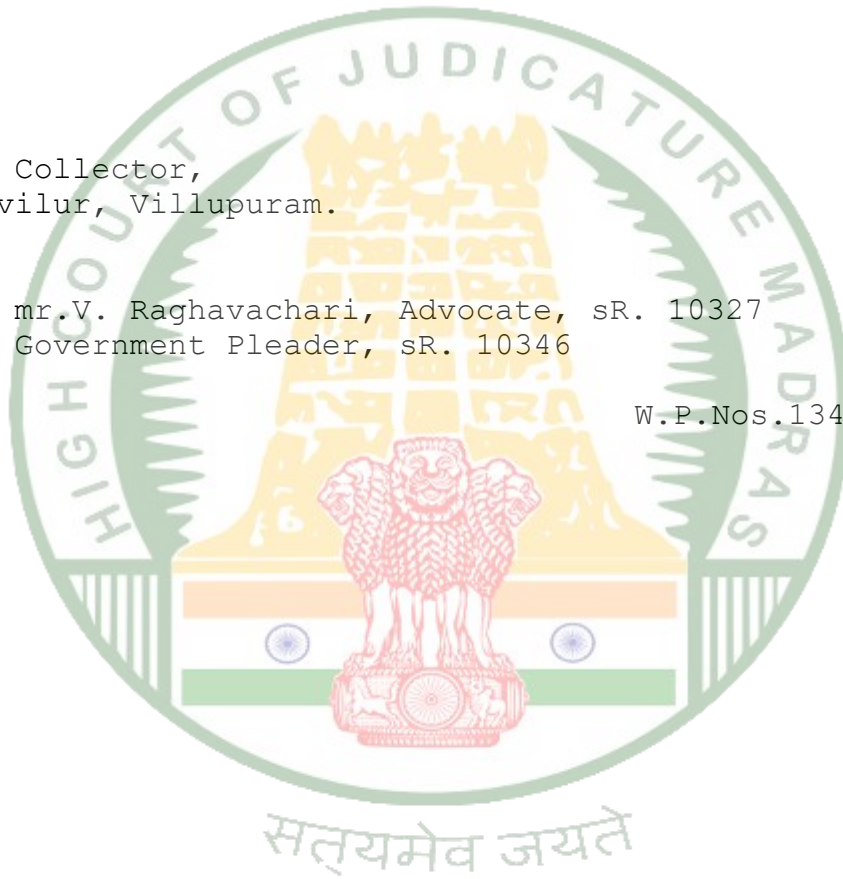
The Sub Collector,
Thirukovilur, Villupuram.

1 cc to mr.V. Raghavachari, Advocate, sR. 10327

1 cc to Government Pleader, sR. 10346

W.P.Nos.1345 and 1346 of 2015

AK (CO)
kk 12/3



WEB COPY