

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2015

CORAM

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

W.P. No.14433 of 2015

V. Raji

... Petitioner

vs.

The Revenue Divisional Officer
Harur,
Dharmapuri District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus calling for the records relating to the order of rejection passed in proceedings in Pa.Mu.2153 (A1), dated 13.4.2015 on the file of the respondent quash the same and direct the respondent to issue community certificate to the daughter of the petitioner viz.R.Gowselya that she belongs to Kurumans (ST) community based upon the community certificate already issued to the petitioner's own sister's son and his children which was verified by the State Level Scrutiny Committee by its proceedings No.12345/CVIII/2007 dated 9.6.2014.

For petitioner : Mr.S.Doraisamy

For respondents : Mr. R. Rajeswaran
Special Government Pleader

O R D E R

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

With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2. The petitioner, claiming that he belongs to Kurumans (ST) community, has made an application in the year 2014 to the respondent, seeking issuance of such community certificate to his daughter R.Gowselya and also enclosed relevant documents in support

of his claim. The said application was rejected by the respondent by the impugned order dated 13.4.2015, which is under challenge in the instant writ petition.

3. From a perusal of the materials available on record, it is seen that the State Level Scrutiny Committee has confirmed that the petitioner's sister's son viz., C.Senthilkumar belongs to Kurumans (ST) community, vide proceedings No.12345/CVIII/2007 dated 9.6.2014.

4. We have been repeatedly observing that a community comprises not only of the members of the family, but also the members of the same group or tribe. In the case on hand, when the community status of the petitioner's sister's son viz., C.Senthilkumar, has been confirmed by the State Level Scrutiny Committee, as afore-stated, we find no reason as to why the same be denied to the petitioner's daughter.

5. In view of the above backdrop, we direct the respondent to consider the petitioner's application, hold proper enquiry and examine the documents/certificates qua his blood relatives produced by him, which have probative value, and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition stands disposed of with the above direction. Costs made easy.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vr

To

The Revenue Divisional Officer,
Harur,
Dharmapuri District

+1cc to M/s.S.Doraisamy, Advocate, S.R.No.36003
+1cc to the Government Pleader, S.R.No.35961

W.P. No.14433 of 2015

VG(CO)
CA(29/07/2015)