

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2015

CORAM:

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

W.P. No. 17271 of 2015

M.Babu

... Petitioner

vs.

The Tahsildar,
Krishnagiri Taluk Office,
Krishnagiri District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondent to consider the petitioner's representation dated 11.02.2013 and the subsequent reminder dated 3.9.2014 for issue of Panniandi SC community certificate to the petitioner and his minor sons B.Lokesh and B.Mohan within the time to be stipulated by this Court.

For petitioner : Mr.R.Bharath Kumar

For respondent : Mr.R. Rajeswaran
Special Government Pleader

ORDER

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

With the consent of the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondent, this writ petition is taken up for final disposal, at the admission stage itself.

2. This writ petition is filed seeking to issue a direction to the respondent to consider the petitioner's representation dated 11.02.2013 and the subsequent reminder dated 3.9.2014 for issue of Panniandi SC community certificate to the petitioner and his minor sons B.Lokesh and B.Mohan.

3. Learned counsel appearing for the petitioner submits that the petitioner's brother - M.Venkatesan and his children obtained community certificates on 27.09.1989 from the Tahsildar, Krishnagiri that they belong to Panniandi community (Scheduled Caste). However, issuance of Panniandi SC community certificates to the petitioner and his minor sons B.Lokesh and B.Mohan was denied by the respondent.

4. Be that as it may, the community certificate/ social status certificate issued by the then competent officer has not been doubted at any stage. The petitioner's brother and his children are getting the benefits under the said community certificate/ social status certificate and are deriving the community status from the father and ancestors and as such, the the petitioner and his sons cannot be denied such benefit.

5. The competent authority under the scheme is under an obligation to enquire the matter about the community/ social status of a person. The certificate of relatives may be one factor to examine the claim of the petitioner. However, the same cannot be a conclusive proof. It is well known that the community consists of relatives of the member of the same community and as such, when a member of the said community is held as Panniandi community (Scheduled Caste) on the basis of the certificate issued by the competent authority, the same is a very relevant and substantial document for taking a decision in respect of the petitioner and his sons.

6. Accordingly, the respondent/ authority is directed to consider the petitioner's representation dated 11.02.2013 and the subsequent reminder dated 3.9.2014 and pass necessary order after proper verification and enquiry, as required for issuance of community/ social status certificate, within a period of four weeks from the date of receipt of copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

सत्यमेव जयते

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

usk/vvk

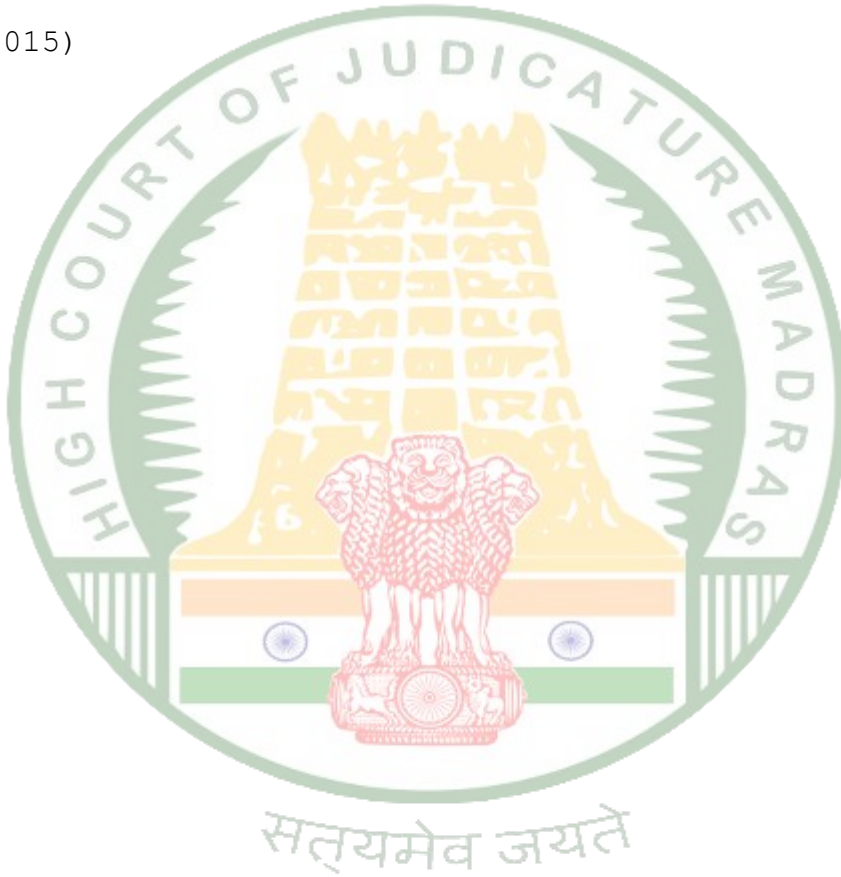
To

The Tahsildar,
Krishnagiri Taluk Office,
Krishnagiri District.

+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.31684

W.P. No.17271 of 2015

AD(CO)
CA(08/07/2015)



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