

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI

AND

THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.17490 of 2015

G. Venkatesan

Petitioner

vs.

1 The Revenue Divisional Officer
 Dharmapuri
 Dharmapuri District

2 The Chairman
 Tamil Nadu State Level Scrutiny Committee
 Adi Dravidar and Tribal Welfare Department
 Secretariat
 Chennai 600 009

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent no.1 to issue "Kurumans" (ST) certificate to the petitioner and his daughter viz., V. Darshini immediately.

For petitioner Mr. M. Radhakrishnan

For respondents Mr. R. Rajeswaran
 Special Government Pleader

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ORDER

(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 dated 26.05.2015 to the first respondent, seeking issuance of such community certificate to him and his daughter V.Darshini. Finding no response from the authorities, he has filed the instant writ petition with a prayer to direct the first respondent to issue Kurumans (ST) certificate, to him and his daughter.

3 From a perusal of materials available on record, it is seen that the State Level Scrutiny Committee has confirmed that the petitioner's paternal uncles, i.e., the petitioner's father's own brothers, viz., M/s. A. Raja, A. Devaraj and A. Murugesan, belong to Kurumans (ST) community vide Proceedings No.1710/CVIII/2013 dated 27.03.2014, No.1709/CVIII/2013 dated 30.03.2015 and No.1704/CVIII/2013 dated 30.03.2015, respectively.

4 We have been repeatedly observing that a community comprises not only 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 petitioners'

paternal uncles, viz., M/s. A. Raja, A. Devaraj and A. Murugesan, has been confirmed by the State Level Scrutiny Committee, as aforesated, we find no reason as to why the same be denied to the petitioner and his daughter.

5 In view of the above backdrop, we direct the first respondent to consider the petitioner's application dated 26.05.2015, 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.

(S.K.A., J.) (M.V., J.)

06.07.2015

cad

Index : Yes/No

SATISH K. AGNIHOTRI, J.

and

M. VENUGOPAL, J.

cad

To

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