

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2015

CORAM

THE HONOURABLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR.JUSTICE M. VENUGOPAL

W.P. No.19450 of 2015 and M.P. No.1 of 2015

S. Kesavan (Minor)
represented by his mother
Tmt. S. Rathna
residing at No.3/91-B
Rathina Nagar via
Krishnagiri Taluk
Krishnagiri District

Petitioner

Vs.

1 The Tahsildar
Krishnagiri Taluk, Krishnagiri District

2 The Registrar
Anna university, Guindy, Chennai 600 025

Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus directing the first respondent to forthwith issue community certificate to the petitioner's son Kesavan indicating that he belongs to Panniyandi, which comes under Scheduled Caste community, so as to enable the petitioner to join in B.E. Computer Science course in the reserved quota meant for Scheduled Caste in the second respondent University.

For petitioner Mr. K. Raja

For R-1

Mr. R. Rajeswaran

Special Government Pleader

For R2

Mr. M. Vijayakumar

O R D E R

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

Mr. R. Rajeswaran, learned Special Government Pleader, accepts notice for the first respondent. Mr. M. Vijayakumar, learned counsel, accepts notice for the second

respondent. With the consent of the learned counsel on either side, the writ petition is taken up for final disposal, at the admission stage itself.

2 Tmt. S. Rathna, the petitioner's mother, has come up with the instant writ petition seeking a direction to the first respondent to issue community certificate forthwith to her son, viz., S. Kesavan that he belongs to Panniyandi (SC) community.

3 According to the learned counsel for the petitioner, Tmt. S. Rathna made an application for grant of community certificate on in favour of the petitioner 08.12.2014. Till date, no steps have been taken by the authorities. As the petitioner has not received any communication qua enquiry or hearing as required, a direction be issued to the first respondent to issue community certificate on verification, with a further direction to the second respondent to await the decision of the first respondent qua the community certificate.

4 Mr. R. Rajeswaran, learned Special Government Pleader appearing for the first respondent, submits that appropriate orders shall be passed within a period of two weeks from today.

5 In view of the above submission made by the learned Special Government Pleader, we direct the second respondent to await the certificate for two weeks before taking a decision in counselling on the basis of the petitioner's performance.

6 The Supreme Court, in Kumari Madhuri Patil Vs. Additional Commissioner, Tribal Development & Others¹, has fixed the time schedule of six months for consideration and issuance of community certificate. During the period of six months, the authorities are required to conduct an enquiry and take a final decision. In the case on hand, whether any step was taken or enquiry was conducted is not in the knowledge of either party.

7 Be that as it may, the first respondent is directed to consider all the relevant documents as produced by the petitioner and also other relevant information, for taking a decision and pass appropriate orders within a period of two weeks.

8 The writ petition stands disposed of with the above direction. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

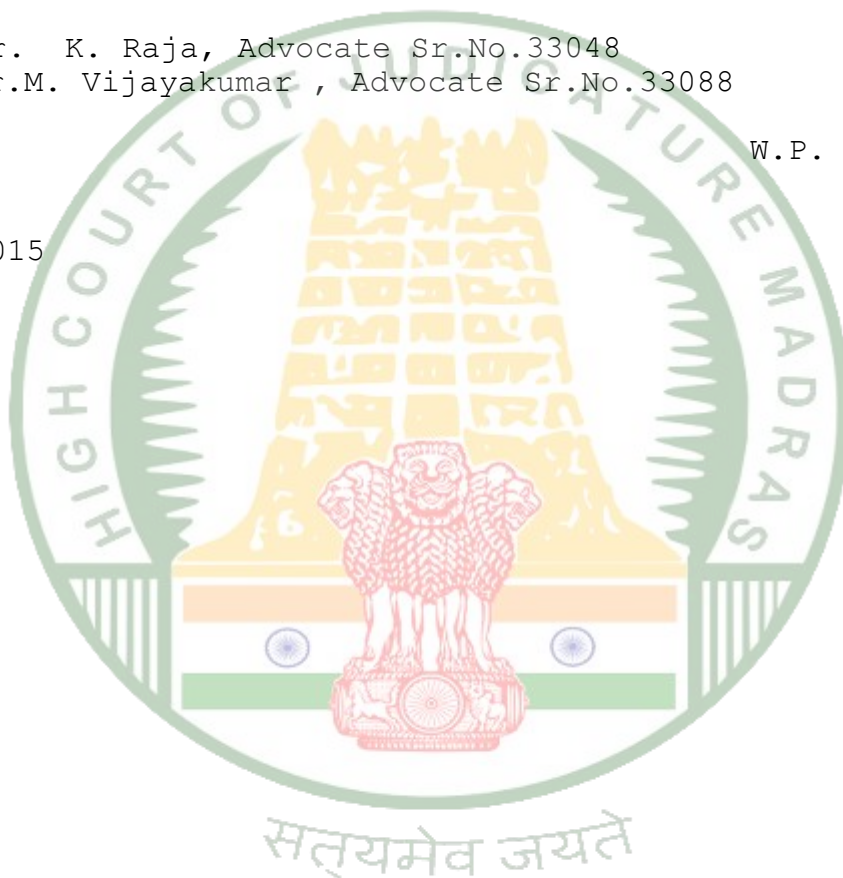
- 1 The Tahsildar
Krishnagiri Taluk
Krishnagiri District
- 2 The Registrar
Anna university
Guindy, Chennai 600 025.

1 cc to Mr. K. Raja, Advocate Sr.No.33048

1 cc to Mr.M. Vijayakumar , Advocate Sr.No.33088

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