

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13/8/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. Nos.19564 and 19565 of 2015

K. Tirupathi

... Petitioner in
W.P.No.19564 of 2015

K.Sumitha

a n d

... Petitioner in
W.P.No.19565 of 2015

Vs

The Tahsildar
Taluk Office
Krishnagiri
Krishnagiri District.

... Respondent in
both the petitions

Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records of the respondent in his proceeding in Na.ka.21501/2014/A8 dated 28/11/2014 and quash the same and consequently direct the respondent herein to forthwith issue community certificate to the petitioner indicating that the petitioner is belonging to Panniyandi which comes under Scheduled Caste.

For petitioners : Mr.K.Raja

For respondent : Mr.N.Sakthivel
Government Advocate

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C O M M O N O R D E R
(Order of the Court was made by SATISH K. AGNIHOTRI,J.,)

Assailing the legality and validity of the memoranda dated 28th November, 2014, issued by the respondent, the petitioners are before us.

2. The learned counsel appearing for the petitioners submits that the petitioners could not produce all the documents along with their on-line applications dated 14th November, 2014 and as such, the decisions taken by the respondent are vitiated, as the same are not based on proper enquiry, as required under law. The learned counsel further submits that the petitioners are prepared to make fresh applications, along with other relevant documents for consideration.

3. Mr. N. Sakthivel, learned Government Advocate appearing on behalf of the respondent submits that there is a provision of appeal against the impugned memoranda.

4. Be that as it may, on a perusal of the impugned memoranda as well the documents referred to therein, it appears that all the relevant documents have not been examined, as no opportunity of hearing was offered to the petitioners to produce the relevant documents.

5. In such view of the matter, without expressing any opinion on the merits of the case, we grant liberty to the petitioners to make fresh applications, enclosing all the relevant documents, within a period of two weeks from the date of receipt of a copy of this order. The authority concerned is directed to consider the applications independently and take a final decision, within a period of eight weeks thereafter, notwithstanding the observations made in the impugned memoranda dated 28th November, 2014.

6. These writ petitions are disposed of with the above directions. No costs. Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mvs.

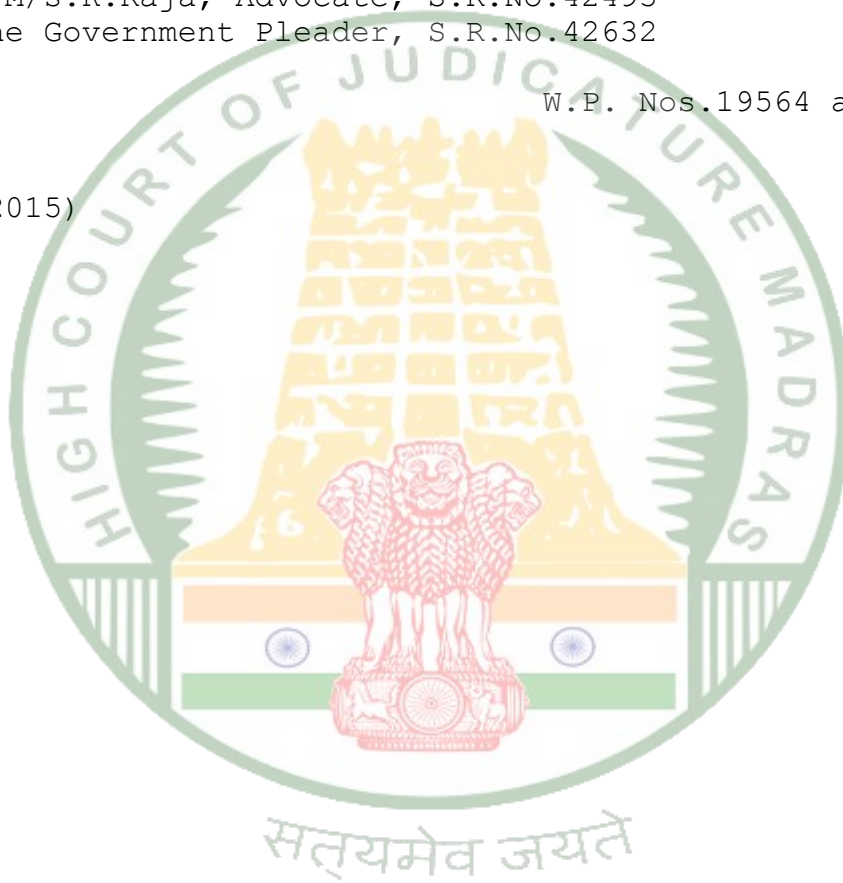
To

The Tahsildar
Taluk Office
Krishnagiri
Krishnagiri District.

+2cc's to M/s.K.Raja, Advocate, S.R.No.42493
+1cc to the Government Pleader, S.R.No.42632

W.P. Nos.19564 and 19565 of 2015

AD(CO)
CA(04/09/2015)



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