

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10/7/2015

C O R A M

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

W.P. No.20718 of 2015

M. Ragavan

...Petitioner

Vs

The Revenue Divisional Officer
Tiruvannamalai
Tiruvannamalai District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to pass orders on the application of the petitioner dated 8/5/2015 for the issuance of the community certificate to the petitioner, his wife and his sons viz., 1. R. Udhaya Prakash and 2. R. Vignesh that they belong to Kattunayakan (ST) Community based upon the community certificate already issued to the petitioner's brother M.Paramasivam.

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.)

Mr.R.Rajeswaran, learned Special Government Pleader takes notice on behalf of the respondent. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal, at the admission stage itself.

2 The petitioner, claiming that he belongs to Kattunayakan (ST) community, has made an application dated 8/5/2015 to the respondent, seeking issuance of such community certificate to him, his wife and his two sons. Finding no response from the authority, he has filed the instant writ petition with a prayer to direct the respondent to issue Kattunayakan (ST) Community certificate to them.

3 From a perusal of materials available on record, it is seen that the State Level Scrutiny Committee has confirmed that the petitioner's brother by name M.Paramasivam belong to Kattunayakan (ST) community vide Proceedings No.K4/47140/2003 dated 30/8/2008.

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 petitioner's brother by name M. Paramasivam, has been confirmed by the State Level Scrutiny Committee, as aforesaid, we find no reason as to why community certificate to the effect that the petitioner, his wife and his two sons belong to Kattunayakan (ST) community be denied to them.

5 In view of the above backdrop, we direct the respondent to consider the petitioner's application dated 8/5/2015, hold proper enquiry and examine the documents/certificates qua their blood relatives produced by them, which have probative value and pass appropriate orders on merits and in accordance with law, within a period of six 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 (CS-II)

//True Copy//

Sub Assistant Registrar

mvs.

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To

The Revenue Divisional Officer
Tiruvannamalai
Tiruvannamalai District.

1 CC to Mr. S.Doraisamy, Advocate SR.No. 34968

1 CC to the Government Pleader, SR.No. 35017

W.P. No.20718 of 2015

TEJ (CO)
PSI (27.07.2015)



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