

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15/7/2015

C O R A M

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

W.P. No.21171 of 2015

M. Thilagam

Petitioner

Vs

1. The Revenue Divisional Officer
Dharmapuri
Dharmapuri District.

2. The Revenue Divisional Officer
Chengalpattu
Kancheepuram District.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents to issue Kattunayakkan Community Certificate to the petitioner, based on the petitioner's brother Krishnamoorthy's community certificate.

For petitioner ... Mr.M.Ravi

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 respondents. 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, stated to belong to Kattunayakkan (ST) Community. According to the petitioner, his brother Krishnamoorthy was granted 'Kattunayakkan' Community certificate on 26th May, 2009 by the second respondent. Thereafter, the petitioner has made representations on 29th April, 2014 and 7th May, 2015 to the second and

first respondents respectively. The respondents did not heed to the said representations, thus, this writ petition, seeking a direction to the respondents to grant Kattunayakkan Community certificate, on the basis of certificate granted by the second respondent, for his brother Krishnamoorthy, is filed.

3. We have perused the pleadings. It appears that while making his representation on 29th April, 2014, the petitioner has enclosed certain documents. As the documents are not on record, we are not in a position to come to a definite conclusion as to whether the said documents are relevant for the purpose of taking a decision.

4. Be that as it may, the certificate issued in favour of his brother is not verified by the State Level Scrutiny Committee and as such, the same cannot form basis for grant of a Community certificate. However, the said certificate has a social probative value. Accordingly, the respondents are directed to examine the representations of the petitioner, in accordance with law, after holding proper enquiry and considering the relevant documents and pass appropriate order, within a period of six weeks from the date of receipt of a copy of this order.

5. This writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar(CSIII)

dt:31/07/2015

True Copy

Sub-Assistant Registrar

mvs

To

1. The Revenue Divisional Officer
Dharmapuri
Dharmapuri District.

2. The Revenue Divisional Officer
Chengalpattu
Kancheepuram District.

+1 cc to M/s.M.Ravi Advocate sr.35646

+1 cc to Government Pleader high court madras
sr.35964

aa3/08/2015

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