

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2015

CORAM:

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

W.P. No.22508 of 2015

D. Veerabathiran

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. Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to issue "Kurumans" Scheduled Tribe certificates to the petitioner's children, viz., V. Murali and V. Nandhini, immediately.

For petitioner Mr. M. Radhakrishnan
For respondents Mr. R. Rajeswaran
Special Government Pleader

ORDER

Mr. R. Rajeswaran, learned Special Government Pleader, accepts notice for the respondents. With the consent of the learned counsel on either side, the writ petition is taken up for disposal, at the admission stage itself.

2. The petitioner, claiming that he belongs to Kurumans (ST) community, has made an application on 02.06.2015 to the first respondent seeking issuance of such community certificate to his children V. Murali and V. Nandhini. Since no orders have been passed on the said application, the petitioner has come up with the instant writ petition seeking the aforestated relief.

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's son by name M.Govindaraj, S/o. Thiru Madhappan belongs to Kurumans (ST) community vide Proceedings No.27692/CVIII/2008 dated 30.03.2015.

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's son by name M. Govindaraj, 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's children belong to Kurumans (ST) community be denied to him.

5. In view of the above backdrop, we direct the first respondent to consider the petitioner's application dated 02.06.2015, 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.

ra

s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

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.

+ 2 ccs to Mr.M.Radhakrishnan, Advocate SR 38987

+ 1 cc to Govt.Pleader SR 39119

ad(co)
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