

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI

and

THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.26032 of 2015

1	A. Prakash	
2	C. Punitha	
3	C. Ramamurthy	Petitioners

Vs.

1	The Revenue Divisional Officer Thiruvannamalai	
2	The Director of Tribal Welfare Chepauk, Chennai 600 005	Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the first respondent to consider the petitioners' representation dated 28.11.2014 in the light of cultural report submitted by the second respondent on 18.02.2015 for issuance of Kurumans (ST) community certificates to the petitioners.

For petitioners Mr. M. Ravi

For respondents Mr. A. Srijayanthi
Special Government Pleader

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ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mrs. A. Srijayanthi, learned Special Government Pleader, accepts notice for the respondents. With consent, the writ petition is taken up for final disposal

2 By this writ petition, the petitioners seek a direction to the first respondent to consider their representation dated 28 November 2014 in the light of the cultural report submitted by the second respondent on 18 February 2015 for issuance of Kurumans (ST) community certificates to them.

3 According to the learned counsel for the petitioners, claiming to be members of Kurumans (ST) community, the petitioners made a representation to the first respondent on 28 November 2014, seeking issuance of such certificate to them. However, no action has been taken by the authorities pursuant to their representation. Hence, this writ petition for the aforestated relief.

4 At this juncture, it is pertinent to point out that a Division Bench of this Court, by order dated 13 February 2014 rendered in W.P. No.11977 of 2012, had indicated that the cultural report on Kurumans is required to be considered while the application of an applicant seeking issuance of community certificate is examined.

5 Further, recently, in *G. Venkitasamy and V. Balasubramaniam vs. The Chairman, State Level Scrutiny Committee and Secretary to Government, Adi Dravidar and Tribal Welfare Department, Namakkal Kavingar Maaligai, Fort St. George, Chennai – 9*¹, a Division Bench of this Court, wherein, one of us (*Satish K. Agnihotri, J.*) was a Member, while dealing with the subject of issuance of community certificates, laid down certain guidelines in sync with the directions issued by the Supreme Court in *Kumari Madhuri Patil and another vs. Additional Commissioner, Tribal Development and Others*².

6 Given the fact the petitioners' representation has been kept pending since November 2014, we direct the first respondent to consider and pass appropriate orders on the petitioners' representation dated 28 November 2014, on its own merits and in accordance with law, considering the Cultural Report on Kurumans forwarded by the second respondent and in the light of the judgment in *G. Venkitasamy and V. Balasubramaniam (supra)*, within a period of twelve weeks from the date of receipt of a copy of this order.

The writ petition stands disposed of with the above observation and direction. No costs.

(SATISH K. AGNIHOTRI, J.) (M. VENUGOPAL, J.)
01 April 2016

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1 2016-1-L.W. 289 : (2016) 1 MLJ 606

2 (1996) 4 SCC 241

SATISH K. AGNIHOTRI, J.

and

M. VENUGOPAL, J.

cad

To

- 1 The Revenue Divisional Officer
Thiruvannamalai
- 2 The Director of Tribal Welfare
Chepauk, Chennai 600 005

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