

In the High Court of Judicature of Madras

Date :: 23.03.2015

Coram ::

The Hon'ble Mr. Justice V. Dhanapalan
and
The Hon'ble Mr. Justice G. Chockalingam

Writ Petition No: 2805 of 2015

T. Chentamil Selvan
Asanur Village and Post
Ulundurpet Taluk
Villupuram District.

.... Petitioner

-vs-

1. The District Collector
Villupuram District.
2. The District Adi Dravidar and
Tribal Welfare Officer
Collectorate Office
Villupuram District.
3. The Tahsildar
Ulundurpet Taluk
Villupuram District.
4. Bharat Heavy Electricals Ltd.
rep. by its Senior Manager (HR)
Human Resources Management
Prerna Bhavan, Bhopal
Madhya Pradesh - 462 022.

... Respondents

Writ petition under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st and 2nd respondents to complete the verification of the genuinesness of the Community Certificate as per the letter of the 4th respondent in Ref. No: BP/HR/Caste/ART/6186939/11-12/Reminder-2 dated 15.11.2012 and forward the same to the 4th respondent expeditiously.

For petitioner :: M/s. C. Samivel
For respondents :: Mr. R. Rajeswaran
1 to 3 Spl. Govt. Pleader

For 4th respondent :: Mr. Anand Gopalan
for M/s. T.S. Gopalan & Co.

O R D E R

(Order of the Court was made
by V. Dhanapalan, J.)

Heard Mr.C.Samivel learned counsel appearing for the petitioner, Mr.R.Rajeswaran learned Special Government Pleader appearing for the respondents 1 to 3 and Mr.Anand Gopalan learned counsel appearing for the 4th respondent.

2. Petitioner has come out with a prayer to direct the 1st and 2nd respondents to complete the verification of the genuineness of the Community Certificate as per the letter of the 4th respondent in Ref. No: BP/HR/Caste/ART/6186939/11-12/Reminder-2 dated 15.11.2012 and forward the same to the 4th respondent expeditiously.

3. Petitioner is a native of Asanur Village and Post, Ulundurpet Taluk, Villupuram District, and is working as a Artisan, Grade IV with the 4th respondent viz. Bharat Heavy Electrical Ltd. (BHEL), Bhopal. In order to verify the community certificate produced by the petitioner, the 4th respondent Management sent a letter dated 06.01.2012 to the 1st respondent to state whether the certificate produced by the petitioner is genuine or not. Though various reminders were sent by the 4th respondent, the 1st respondent started the verification process only on 03.04.2014. The Village Administrative Officer and the Revenue Inspector completed their enquiry and filed their report to the 3rd respondent Tahsildar, Ulundurpet Taluk, Villupuram District, on 14.05.2014 and the 3rd respondent inturn has submitted a detailed report to the 2nd respondent The District Adi Dravidar and Tribal Welfare Officer, Villupuram Distric, on 30.05.2014 stating that the petitioner belongs to Hindu Adi Dravidar under the Schedule Caste and the community certificate issued to him is a genuine one. However, the 2nd respondent sent an interim report to the 4th respondent on 30.08.2014 stating that the Taluk Tahsildar had sent the verification report and that the issue is under the process of District Scrutiny Committee, Villupuram. Since the said process had not been completed till date, petitioner is before this Court.

4. The learned counsel appearing for the petitioner submitted that the Tahsildar, Ulundurpet, had sent his report to the District Adi Dravidar and Tribal Welfare Officer, Villupuram, vide proceedings in Na. Ka. No. A3/3322/14 dated 30.05.2014, who in turn sent a letter in ref. No: R.C.M11/7580/2014 dated 30.08.2014 to the 4th respondent stating that,

“ The certificate issued to Thiru.T. Chentamil

Selvan, has been verified by the Taluk Tahsildar, Ulundurpet Taluk, who has send his report to this office. The verification issue is under the process of District Scrutiny Committee, Villupuram, which is the competent authority to decide the genuineness of certificate. On completion of scrutiny committee verification process, I will send the final report very soon. "

However, the claim of the petitioner has not been considered till date and his service has not been confirmed.

5. Mr.R. Rajeswaran, learned Special Government Pleader appearing for the respondents 1 to 3, with the written instructions on hand and after going through the material documents annexed in the typed set of papers, would submit that all efforts have been taken by the authorities concerned and that once the verification process is completed by the Scrutiny Committee, a report will be sent to the 4th respondent Management.

6. The written instructions produced by the learned Special Government Pleader before this Court is dated 30.08.2014. But till date, the concerned District Magistrate has not taken any decision and had not sent any information to the 4th respondent. From the communication of the 4th respondent it could be seen that they have addressed their communications to the District Magistrate of the concerned District viz. The District Collector, Villupuram District. What is the reason for the District Collector, Villupuram, to keep the matter without taking any decision is not known to this Court.

7. In the light of the above stated position and considering the facts and circumstances of the case, we dispose of this writ petition with a direction to the 1st respondent to take a decision about the genuineness of the petitioner's community certificate, based on the report of the 2nd and 3rd respondents and communicate the same to the 4th respondent within a period of four weeks from the date of receipt of a copy of this order. If any information is required from the petitioner, it is always open to the 1st respondent to call for such information from the petitioner. With these observations, this writ petition stands disposed of. There shall be no orders as to the costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gp

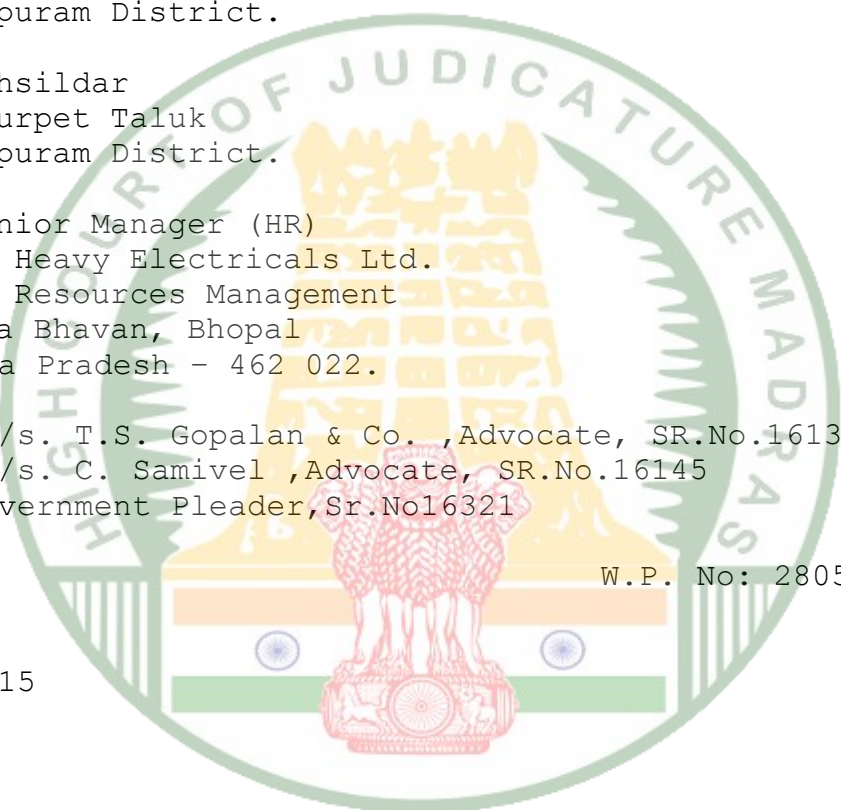
To

1. The District Collector
Villupuram District.
2. The District Adi Dravidar and
Tribal Welfare Officer
Collectorate Office
Villupuram District.
3. The Tahsildar
Ulundurpet Taluk
Villupuram District.
4. The Senior Manager (HR)
Bharat Heavy Electricals Ltd.
Human Resources Management
Prerna Bhavan, Bhopal
Madhya Pradesh - 462 022.

1 cc to M/s. T.S. Gopalan & Co., Advocate, SR.No.16132
1 cc to M/s. C. Samivel, Advocate, SR.No.16145
1 cc to Government Pleader, Sr.No16321

W.P. No: 2805 of 2015

eu(co)
pmk.4.5.2015

The seal of the High Court of Madras is a circular emblem. It features a central golden temple gopuram (tower) with a red elephant standing in front of it. The elephant is facing left and has a red circular stamp on its side. The gopuram is set against a background of horizontal stripes in orange, white, and green. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular border around the central image. Below the seal, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

WEB COPY