

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI

AND

THE HON'BLE MR.JUSTICE K.K. SASIDHARAN

W.P. No.29102 of 2015 & M.P. Nos.1 and 2 of 2015

S. Ramapriyan

..Petitioner

Vs.

1 State of Tamilnadu,
rep. By its Commissioner/Secretary,
Social Welfare Department,
Secretariat, Chennai.9.

2 The District Collector
Villupuram District

3 The Tahsildar,
Ulundurpet,
Villupuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records from the 3rd respondent relating to the decision taken by him on 31.3.2015 as reflected in the Application status of the petitioner vide Application ID 2015/ 0204/07/ 001753 in website and quash the same as illegal arbitrary without jurisdiction and consequently direct the respondents 1 to 3 to issue community certificate to the petitioner intune with the certificate issued to him on 23.1.2003 within a time frame fixed by this court.

For petitioner : Mr. S. Saravanakumar

For respondents Mr. A. Srijyanthi
Spl. Government Pleader

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

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

2. This writ petition is filed challenging the online orders of the first respondent, whereby and whereunder, the petitioner's application seeking community certificate that he belongs to Adidravidar (SC) community, was rejected.

3. The prime contention in this writ petition is that the petitioner's application seeking certificate to the effect that he belongs to Hindu Adidravidar (SC) community was not considered properly and the same was rejected without assigning any reason, as is evident from the impugned online information and the petitioner has not been communicated any order.

4. The authorities exercising quasi-judicial functions are under an obligation to pass a reasoned order dealing with each and every document produced by the applicant, as the reasoning is the heartbeat of a conclusion.

5. In such view of the matter, the impugned online order is set aside and the matter is remitted back to the authority concerned to consider the matter afresh on holding proper enquiry, as per the guidelines laid down by the Supreme Court in Kumari Madhuri Patil and another vs. Additional Commissioner, Tribal Development and others¹ and also taking into consideration, the relevant documents and materials including the earlier community certificate dated 23.01.2003 issued to the petitioner. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction and observation, the writ petition stands disposed of. Costs made easy. Connected Miscellaneous Petitions are closed.

ra

Sd/-
Assistant Registrar (Judicial)

/True Copy/

Sub-Assistant Registrar

To

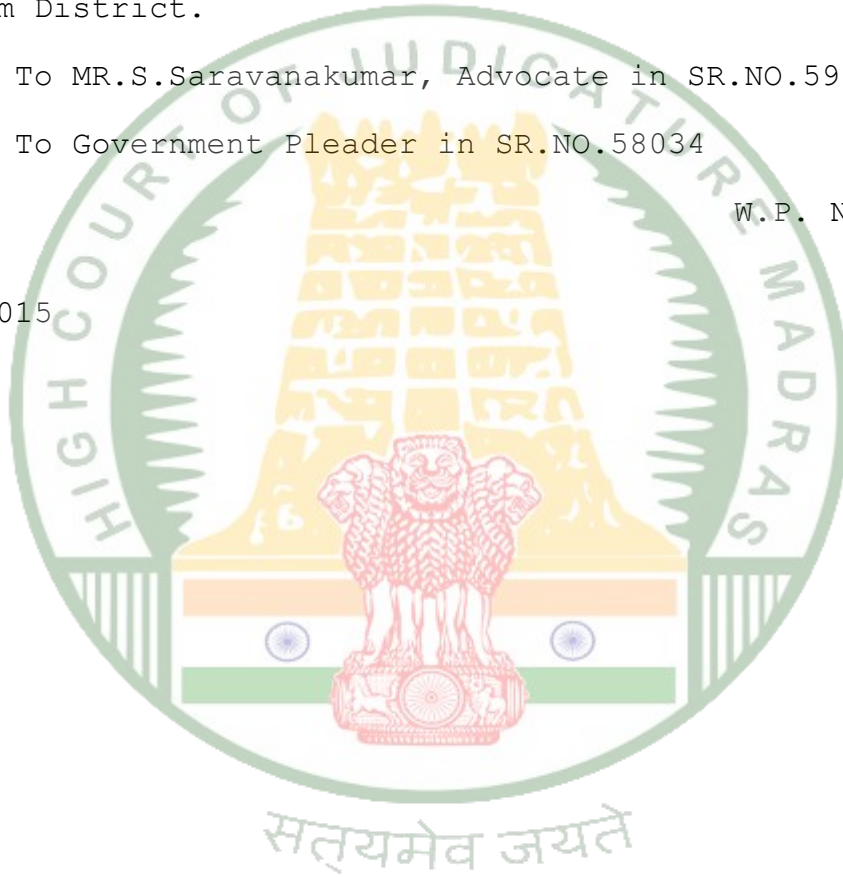
- 1 The State of Tamilnadu
Commissioner/Secretary,
Social Welfare Department,
Secretariat, Chennai.9.
- 2 The District Collector
Villupuram District
- 3 The Tahsildar,
Ulundurpet,
Villupuram District.

+1 C.C. To MR.S.Saravanakumar, Advocate in SR.NO.59170

+1 C.C. To Government Pleader in SR.NO.58034

W.P. No.29102 of 2015

RV(CO)
sd : 05/11/2015



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