

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI

AND

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

W.P. No.29672 of 2015

R. Kamalakannan

Petitioner

Vs.

The Revenue Divisional Officer
Tindivanam
Villupuram District

Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to pass orders on the petitioner's application dated 26.07.2014 for the issuance of community certificate to the petitioner and his children viz., K. Deepika and K. Yuvanesh based upon the community certificate possessed by the petitioner's wife.

For petitioner Mr. V. Elangovan

For respondents Mr. P.S.Sivashanmugasundaram
Special Government Pleader

ORDER

(made by SATISH K. AGNIHOTRI, J.)

Mr. P.S. Sivashanmugasundaram, learned Special Government Pleader, accepts notice for the respondent. With the consent of the learned counsel on either side, the writ petition is taken up for final disposal, at the admission stage itself.

2 The petitioner has come up with this writ petition seeking a writ of mandamus directing the respondent to pass orders on his representation dated 26 July 2014 for issuance of community certificate to him and his children, viz., K. Deepika and K. Yuvanesh, based on the community certificate possessed by his wife.

3 From a perusal of the petitioner's application seeking issuance of community certificate, it is noticed that he has enclosed several certificates, including the community certificate issued in favour of his wife. The said application was made way back in July 2014. As per the judgment of the Supreme Court in Kumari Madhuri Patil and another vs. Additional Commissioner, Tribal and Development andn Others¹, the authorities are required to consider the same on its own merits and in accordance with law within a period of six months. However, what prevented the authorities from taking action on the petitioner's application within the specified time is beyond our ken.

4 Regard being had to the facts of the case, we direct the respondent to expedite the conduct of enquiry and examination of all the certificates submitted by the petitioner and pass appropriate orders on the petitioner's representation dated 26 July 2014 on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5 The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)
//True Copy//
Sub Assistant Registrar

cad

To

The Revenue Divisional Officer
Tindivanam
Villupuram District

+1cc to Mr.S. Doraisamy, Advocate, S.R.No.51645

+1cc to the Government Pleader, S.R.No.51907

AK(CO)
EU(05/10/2015)

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1 (1994) 6 SCC 241