

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 7/10/2015

C O R A M

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K.SASIDHARAN

W.P. No.30858 of 2015

K. Sakthivel

... Petitioner

Vs

1. The Revenue Divisional Officer
Ambathur
Thiruvallur District.

2. The Tahsildar
Tahsildar Office
Ambatur Taluk
Thiruvallur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking for the issuance of a writ of mandamus to direct the first respondent to issue permanent community certificate to the petitioner and his children 1. S.Saisugha 2. S. Saiprasanna that they belong to Hindu Malakuravan Community which is classified as Scheduled Tribe based upon the community certificate already possessed by the petitioner's paternal Uncles that they are belong to Hindu Malakuravan Community. सत्यमेव जयते

For petitioner : Mr.B.Balavijayan

For respondents : Mr.N.Sakthivel
Government Advocate

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O R D E R
(delivered by SATISH K. AGNIHOTRI,J.,)

With the consent of the parties, the writ petition is taken up for final disposal.

2. This writ petition is filed seeking a direction to the first respondent to issue permanent community certificates to the petitioner and his children S.Saisugha and S. Saiprasanna that they belong to Hindu Malakuravan Community, which is classified as Scheduled Tribe, based upon the community certificate already possessed by the petitioner's paternal uncles.

3. The facts of the case in a nutshell are that for the issuance of community certificates to the petitioner and his children, an application dated 9 January 2014 was made by the petitioner to the Tahsildar, Ambattur Taluk, Thiruvallur District, who is not the competent Officer and hence, no action could be taken for want of jurisdiction.

4. In view of the above, this writ petition is dismissed. However, the petitioner is permitted to make a fresh application to the competent Officer i.e., Revenue Divisional Officer, Ambattur, Tiruvallur District, enclosing all the requisite documents for consideration of his application. In the event, an application is made within one week from the date of receipt of a copy of this order, the same shall be considered by the Revenue Divisional Officer, without insisting on further report, as the Tahsildar has already submitted a report on 1 October 2014 stating therein that certificates may be issued to the petitioner and his children that they belong to Hindu Malakuravan Community. The said exercise shall be carried out as expeditiously as possible. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mvs.

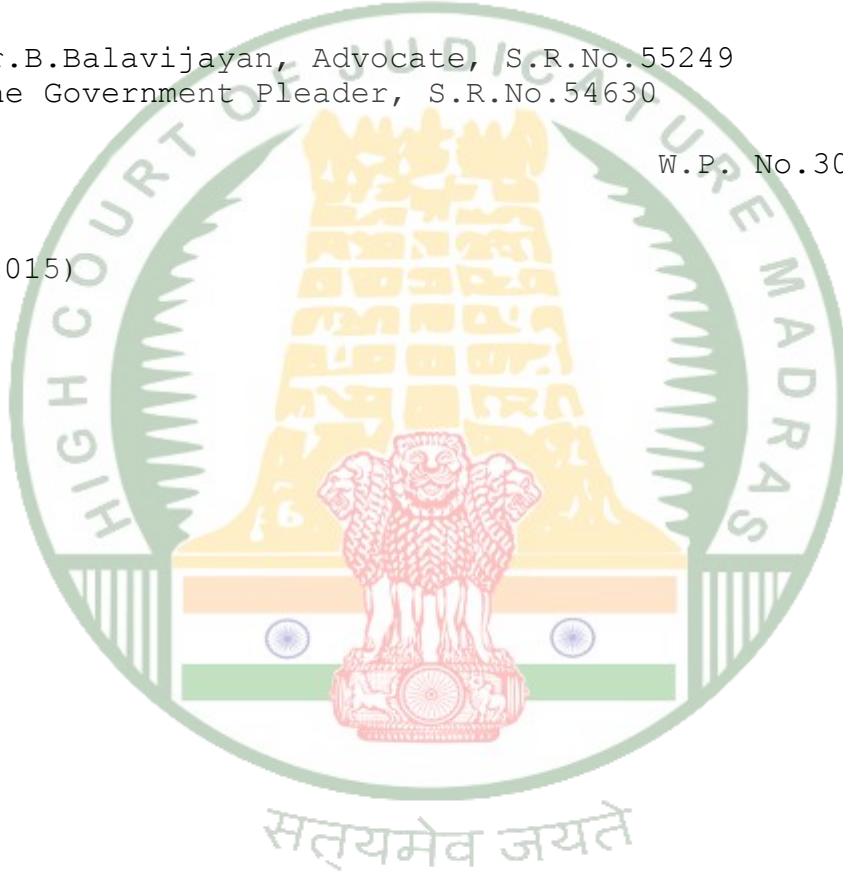
To

1. The Revenue Divisional Officer
Ambathur
Thiruvallur District.
2. The Tahsildar
Tahsildar Office
Ambatur Taluk
Thiruvallur District.

+1cc to Mr.B.Balavijayan, Advocate, S.R.No.55249
+1cc to the Government Pleader, S.R.No.54630

W.P. No.30858 of 2015

KSJ(CO)
CA(20/10/2015)



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