

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI

and

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

W.P. No.30860 of 2015

C. Regraj

..Petitioner

Vs.

- 1 The Principal Secretary
to Government, Back Ward Classes Most Back
Ward Class and Minorities Welfare Department,
Secretariat, Chennai-600 009.
- 2 Secretary to Government,
Revenue (RA3 (2)) Department, Secretariat,
Chennai-600 009.
- 3 Additional Chief Secretary/
Commissioner of Revenue Administration ,
Ezhilagam, Chennai-600 005.
- 4 The Commissioner of Minorities
Welfare, Mount Road, Chennai-600 002.
- 5 Thasildhar
Purasawalkam Taluk, Chennai-600 003.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the 5th respondent to dispose of the petitioner's representation dated 03.09.2015 for issuing the Minority Community Certificate for Jain Religion as per the G.O.(MS) No.125 Revenue (RA 3 (2)) Department, dated 12.03.2015 by second respondent.

For petitioner Mr. K. Harikrishnan

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

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ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

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

2. This writ petition is filed seeking a direction to the fifth respondent to dispose of the petitioner's representation dated 3rd September 2015 for issuing Minority Community Certificate for Jain Religion as per G.O.(MS) No.125 Revenue (RA 3 (2)) Department dated 12th March 2015.

3 The petitioner, stated to be a member of Jain religion, has filed a representation on 3rd September, 2015 to the respondents, seeking a community certificate to the effect that he belongs to Jain religion, which is a minority community, as per G.O.(Ms).No. 125 Revenue (RA 3 (2) Department, dated 12.03.2015.

4 At the outset, it is to be noted that even before the ink is dried up in his aforestated representation, the petitioner has rushed to this Court by this writ petition, seeking the aforestated relief.

5 It is a trite law that a direction to consider a representation be not issued without examining the facts. Sometimes, the direction is taken as a positive direction, leaving no space for the authorities to apply their mind objectively and as such, we are not inclined to issue any direction at this stage. It is open to the authorities to consider and pass orders on the petitioner's representation on merits and in accordance with law.

6 Accordingly, this writ petition is dismissed. No costs. However, the petitioner is at liberty to approach this Court as and when cause of action arises, if so advised.

sd/-
ASSISTANT REGISTRAR (CO)

/- TRUE COPY /

SUB-ASSISTANT REGISTRAR

ra

To

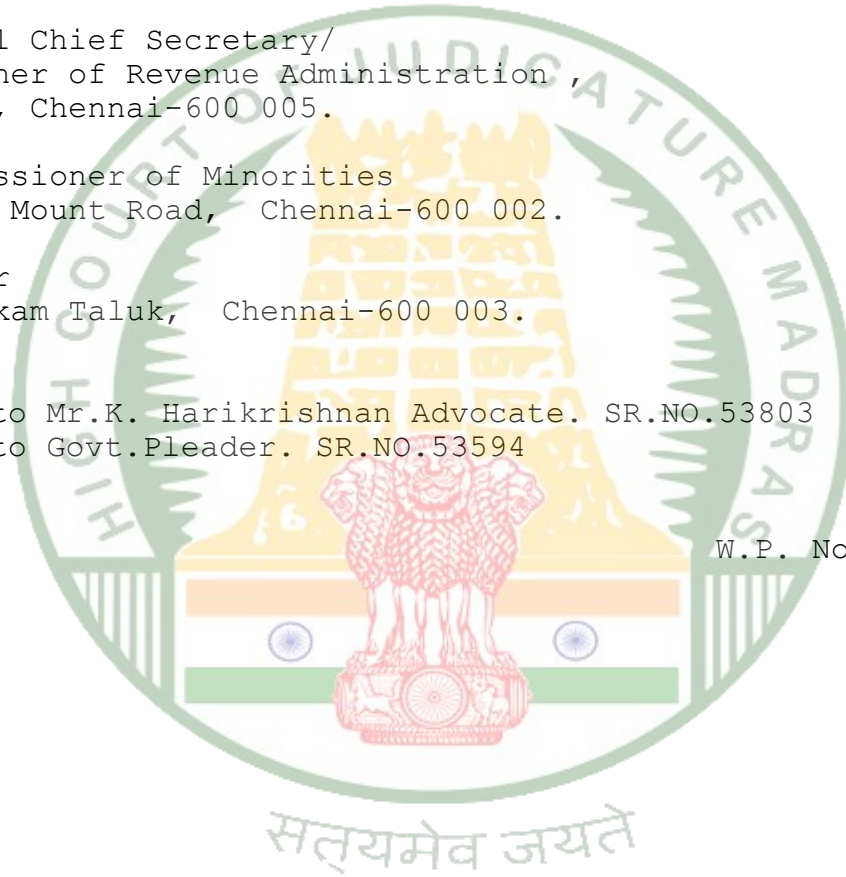
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+1 CC to Mr.K. Harikrishnan Advocate. SR.NO.53803

+1 CC to Govt.Pleader. SR.NO.53594

W.P. No.30860 of 2015

CO-VD
JD 14/10/2015



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