

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2015

CORAM:

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

W.P. No.32591 of 2015

E. Kishore Kumar

..Petitioner

Vs.

The Chairman and Secretary to Government
State Level Scrutiny Committee
Adi Dravidar and Tribal Welfare Department
Secretariat
Chennai 600 009

..Respondent

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondent to verify the community certificate of the petitioner dated 13.02.2013 issued by the Revenue Divisional Officer, Ranipet and give a finding regarding the genuineness of the social status of the petitioner.

For petitioner: Mr. S. Doraisamy

For respondent: Mr. P.S. Sivashanmugasundaram
Special Government Pleader

O R D E R

(delivered 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 for the parties, the writ petition is taken up for final disposal, at the admission stage itself.

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2 This writ petition is filed seeking a direction to the respondent to verify the petitioner's community certificate dated 13 February 2013 issued by the Revenue Divisional Officer, Ranipet and give a finding regarding the genuineness of the petitioner's social status.

3 The learned counsel for the petitioner, relying on the observation made by the Supreme Court in Kumari Madhuri Patil and another vs. Additional Commissioner, Tribal Development and Others¹, submits that on receipt of the application for verification of the caste certificate by the petitioner, the State Level Scrutiny Committee is obligated to complete the proceedings and pass orders within a period of six months.

4 On a perusal of the documents, it is noticed that an application was filed by the petitioner on 25 September 2014 seeking verification of the social status certificate granted to him by the competent authority. Taking cognizance of the said application, by a communication dated 08 October 2014 of the Secretary to Government, Adi Dravidar and Tribal Welfare Department, the District Collector, Vellore, was asked to conduct an enquiry and submit a report.

5 According to the learned counsel for the petitioner, no enquiry has been initiated thereafter and a report consequent thereupon, has not been submitted. The authorities have exceeded the time limit prescribed by the Supreme Court in Kumari Madhuri Patil (supra), which has been subsequently referred to with approval in many cases.

6 The learned Special Government Pleader appearing for the respondent submits that necessary decision shall be taken within a period of four weeks from today.

7 In view of the aforesaid submission of the learned Special Government Pleader, it is ordered accordingly.

The writ petition stands disposed of with the above observation. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

1 (1994) 6 SCC 241

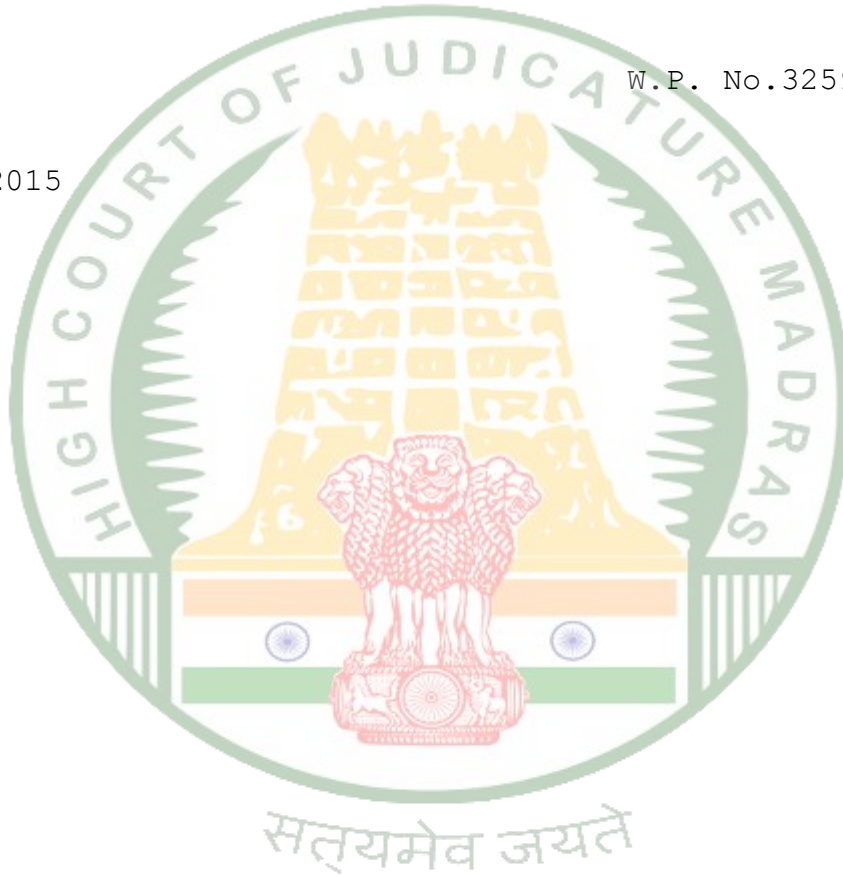
To

The Chairman and Secretary to Government
State Level Scrutiny Committee
Adi Dravidar and Tribal Welfare Department
Secretariat
Chennai 600 009

+1 cc to Mr.S.Doraisamy, Advocate (sr.56233)
+1 cc to Government Pleader (sr.56644)

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VGI (co)
cp 27/10/2015



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