

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE DR. JUSTICE P. DEVADASS

W.P. No.37365 of 2015

P. Siddhan

... Petitioner

Vs.

1. The District Collector
Dharmapuri District
Dharmapuri

2. The Revenue Divisional Officer
Dharmapuri Revenue Division
Dharmapuri

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the second respondent to issue a community certificate of Kurumans Scheduled Tribe to the petitioner based on the petitioner's application dated 06.07.2015.

For Petitioner : Mr. M. Selvam

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

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

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

2. This writ petition is filed seeking a writ of mandamus directing the second respondent to issue Kurumans (ST) community certificate to the petitioner based on his application dated 06 July 2015.

3. At the threshold, it is worth pointing out that the respondents are required to examine the petitioner's application, conduct enquiry in accordance with the guidelines laid down by the Supreme Court in Kumari Madhuri Patil Vs. Additional Commissioner, Tribal Development & Others¹, which has been referred to with approval in Director of Tribal Welfare, Government of A.P. Vs. Laveti Giri and another², Baswant Vs. State of Maharashtra & others³, Sudhakar Vithal Kumbhare Vs. State of Maharashtra and others⁴, and G.M., Indian Bank Vs. R.Rani⁵. Further, the Supreme Court, in Kumari Madhuri Patil (supra), has also stipulated the time schedule qua issuance of community certificate. The authorities are expected to adhere to the said time schedule as well. Thus, we are afraid that the direction, as sought by the petitioner, cannot be granted.

4. The learned Special Government Pleader appearing for the respondents fairly submits that the authorities will pass orders on the petitioner's application on its own merits and in accordance with law.

5. In view of the above submission of the learned Special Government Pleader appearing for the respondents, it is ordered accordingly.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

cad

1 (1994) 6 SCC 241

2 (1995) 4 SCC 32

3 JT 2000 (10) SC 280

4 (2004) 9 SCC 481

5 (2007) 12 SCC 796

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To

1. The District Collector
Dharmapuri District
Dharmapuri
2. The Revenue Divisional Officer
Dharmapuri Revenue Division
Dharmapuri

+lcc to Mr.M.Selvam, Advocate, S.R.No.63612
+lcc to the Government Pleader, S.R.No.64256

W.P. No.37365 of 2015

BVR(CO)
CA(11/12/2015)



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