

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No. 3899 of 2015

N. Venunathan

... Petitioner

vs.

1. The Tahsildar,
Thandrapattu,
Thiruvannamalai District.

2. The Zonal Deputy Tahsildar,
Thandrapattu,
Thiruvannamalai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus calling for the records relating the order of rejection passed by the 2nd respondent in Application ID No.2015/0204/ 06/004767, dated 07.02.2015, quash the same and direct the respondent to issue community certificate to the petitioner that he belongs to Kanjam Reddy (BC) Community based upon the community certificate already issued to the petitioner's close relatives.

For petitioner : Mr. S. Doraisamy
for
Mr. K. Narayanan

For respondents : Mr. T.N. Rajagopalan
Spl. Govt. Pleader

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

The challenge in this writ petition is to the order dated 07.02.2015 passed by the first respondent, viz., The Tahsildar, Thandrapattu, Thiruvannamalai District and for a direction to the respondents to issue community certificate to the petitioner that he belongs to "Kanjam Reddy (BC) community, based upon the community certificate already issued to his close relatives.

2. Learned counsel appearing for the petitioner would submit that the petitioner's application for issuance of community certificate has been rejected without assigning any reason when his father's own brother's son, viz., Saravanan, had obtained community certificate from the second respondent.

3. Mr. T.N. Rajagopalan, learned Special Government Pleader appearing for the respondents, on the other hand, submits that on a perusal of the impugned order, it is clear that the petitioner's application was rejected on the ground of non-submission of relevant documents. Thus, if fresh application is made by the petitioner, the same will be considered on its own merits and in accordance with law and appropriate orders will be passed within a period of four weeks from the date of receipt of the application.

4. We have considered the submissions advanced by the learned counsel on either side and perused the pleadings and documents appended thereto.

5. On a perusal of the impugned order annexed at page No.30 of the typed set of papers, it is luculent that the application was rejected for want of necessary documents.

6. Considering the submissions made by the learned Special Government Pleader appearing for the respondents, we grant one more opportunity to the petitioner to make a fresh application along with the relevant documents and if such application is made, the authorities concerned are directed to consider the same on its own merit and in accordance with law and pass appropriate orders within a period of four weeks from the date of receipt of the application, after making necessary enquiries in the issue and also on the basis of the documents produced by the petitioner.

7. This writ petition is disposed of accordingly. Consequently, M.P. No. 1 of 2015 is closed. No costs.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

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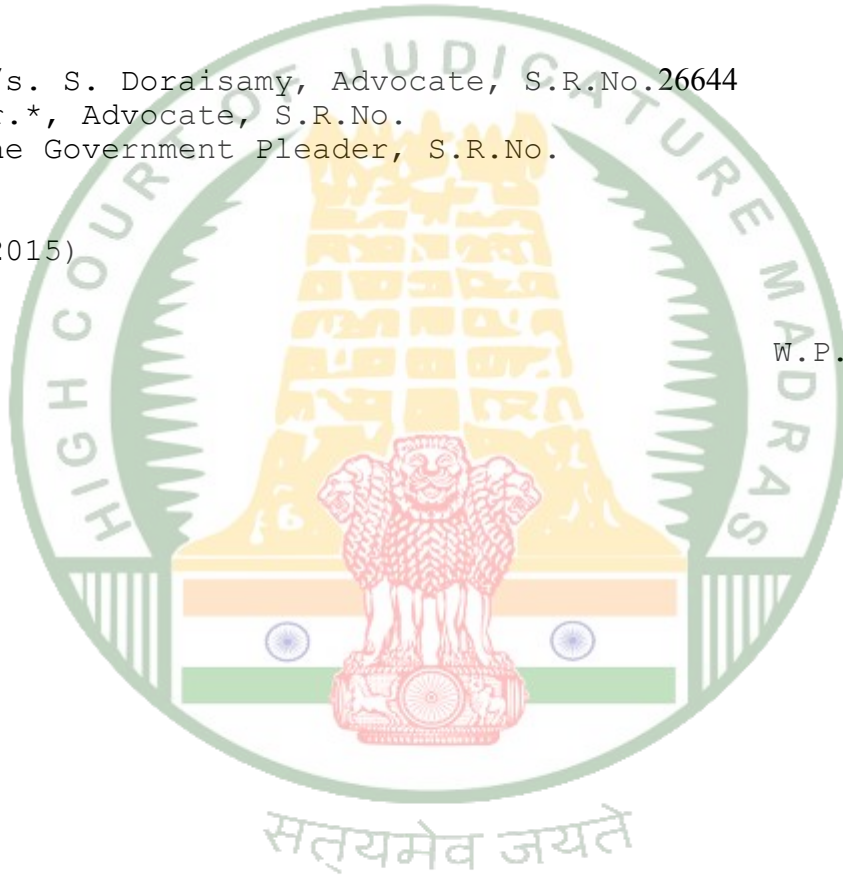
To

1. The Tahsildar,
Thandrampattu,
Thiruvannamalai District.
2. The Zonal Deputy Tahsildar,
Thandrampattu,
Thiruvannamalai District.

+1cc to M/s. S. Doraisamy, Advocate, S.R.No.26644
+1cc to Mr.*, Advocate, S.R.No.
+1cc to the Government Pleader, S.R.No.

SAI (CO)
EU(10/06/2015)

W.P. No.3899 of 2015



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