

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2015

CORAM:

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

W.P. No.39214 of 2015

G. Elumalai

Petitioner

Vs.

1 The District Collector
Office of the District Collector
Thiruvannamalai

2 The Tahsildar
Thiruvannamalai

Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the respondents to consider the petitioner's representation dated 01.07.2015 for issuance of Hindu Panniandi Schedule Tribe community certificate to the petitioner's sons viz., Santhosh and Chandru.

For petitioner : Mr. A. Venkatesan

For respondents : Mr. N. Sakthivel
Government Advocate

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mr. N. Sakthivel, learned Government Advocate, 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 respondents to consider the petitioner's representation dated 01 July 2015 for issuance of Hindu Panniandi (ST) community certificate to the his sons viz., Santhosh and Chandru.

3 The petitioner, claiming to be belonging to Hindu Panniandi (ST) community, has made an application dated 01 July 2015 to the second respondent, seeking such community certificate to his sons. Since no orders have been passed on the said application, he has come up with this writ petition seeking the aforestated relief.

4 At the threshold, it is worth pointing out that the respondents are required to examine the petitioner's application and 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.

5 Thus, we direct the authority concerned to consider and pass appropriate orders on the petitioner's application dated 01 July 2015 on merits and in accordance with law, as per the guidelines laid down by the Supreme Court in the aforestated judgments and also within the time limit stipulated therein.

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

Sd/
ASSISTANT REGISTRAR (Cs-V)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

cad

To

- 1 The District Collector
Office of the District Collector
Thiruvannamalai

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

2 The Tahsildar
Thiruvannamalai

+1 CC to MR.A. Venkatesan Advocate. SR.NO. 67417
+1 CC to Govt.Pleader. SR.NO. 67240

W.P. No.39214 of 2015

CO-LRS
JD 31/12/2015



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