

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2015

CORAM:

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

W.P. No. 8170 of 2015

R. Suryaprakasan

... Petitioner

vs.

1. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondent to pass orders on the application of the petitioner dated 21.02.2015 for the issuance of community certificate to the petitioner's children viz., S. Nitish Kumar and S. Suruthi Prakash that they belong to "Kurichchan (ST) Community" based upon the community certificate already issued to the petitioner.

For petitioner : Mr. V. Elangovan

For respondent : Mr. R. Rajeswaran
Spl. Govt. Pleader

ORDER

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

With the consent of the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondent, this writ petition is taken up for final disposal, at the admission stage itself.

2. This writ petition is filed seeking to issue a direction to the respondent to pass orders on the petitioner's application dated 21.02.2015 for the issuance of community certificate to the petitioner's children viz., S. Nitish Kumar and S. Suruthi Prakash that they belong to "Kurichchan (ST) Community" based upon the community certificate already issued to him.

3. Learned counsel appearing for the petitioner submits that at the relevant point of time when the community certificate/ social status certificate was issued to the petitioner, the competent officer was the Deputy Tahsildar, Dharmapuri. Subsequently, it has been upgraded and thus, now the competent officers are Revenue Divisional Officer/ Deputy Collector/ Collector as the case may be.

4. Be that as it may, the community certificate/ social status certificate issued by the then competent officer has not been doubted at any stage. The petitioner, being the father of the children, is getting the benefits under the said community certificate/ social status certificate and the children are deriving the community status from the father and ancestors and as such, the same cannot be denied to them.

5. In such view of the matter, the respondent/ authority is directed to consider the petitioner's application dated 21.02.2015 in the light of the community certificate/ social status certificate issued to him and necessary certificate may be issued after proper verification and enquiry, as required for issuance of community/ social status certificate, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

+ 1 cc to M/s. S. Doraisamy, Advocate SR.30425

W.P. No.8170 of 2015

SAI(CO)

Eu 26.06.15