



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2015

C O R A M

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THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD) No.2414 of 2014

G.S.Archana

... Petitioner

Vs.

1.The Secretary to Government,
The Most Backward Class and Minorities Welfare
Department,
Fort St. George,
Secretariat,
Chennai-600 009.

2.The Commissioner,
The Tamil Nadu Most Backward Classes Commission
(MBC & DNC)
Chennai-620 005.

3.The Deputy Tahsildar,
Taluk Office,
Virudhunagar District.

4.The Principal,
Lady Doak College (Aided),
Madurai District-625 002.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the fourth respondent to rectify the name of petitioner's community correctly as DENOTIFIED COMMUNITY instead of Backward Community in the Transfer cum Conduct Certificate of the petitioner, dated 06.07.2012 vide S.No.0084 or issue a new Transfer cum Conduct Certificate to the petitioner, dated 29.07.2002 vide Certificate No.1547030 issued by the third respondent by considering the petitioner's representation, dated 14.10.2013.

For petitioner

...Mr.R.Suresh Kumar

For R1 to R3

...Mr.M.Alagathevan

Spl. Govt. Pleader

...Mr.Isaac Mohanlal

O R D E R

The writ petition has been filed for a writ of mandamus, directing the fourth respondent to rectify the name of petitioner's community correctly as DENOTIFIED COMMUNITY instead of Backward Community in the Transfer cum Conduct Certificate of the petitioner, dated 06.07.2012 vide S.No.0084 or issue a new Transfer cum Conduct Certificate to the petitioner, dated 29.07.2002 vide Certificate No.1547030 issued by the third respondent by considering the petitioner's representation, dated 14.10.2013.

2. According to the petitioner, she belongs to Hindu Maravar Community. The third respondent issued the community certificate to the effect that she belongs to Hindu Maravar community, which is recognized as Denotified Community. She studied in the fourth respondent college and produced the community certificate before the fourth respondent. In the Transfer Certificate issued by the fourth respondent, her community has been mentioned as Hindu Maravar BC. Hence, she gave a representation on 04.10.2013 to the fourth respondent to rectify the mistake. The fourth respondent did not pass any orders. Therefore, she has come out with the present writ petition.

3. In the writ petition, she restricted her relief for a direction to the fourth respondent to correct the community in the Transfer certificate as Denotified Community instead of Backward Class Community.

4. Mr. Isaac Mohanlal, learned counsel appearing for the fourth respondent submitted that the petitioner joined in the College in the year 2009 and in her application, she has given her community as Hindu Maravar Backward Class. After completion of her course, transfer Certificate was issued on 06.07.2012. The petitioner mentioned her cate as Hindu Maravar Backward Class in her application. The same has been incorporated in her Transfer Certificate issued to her on completion of course and prayed for dismissal of the writ petition.

5. From the records, it is seen that the petitioner has given a representation on 04.10.2013 to the respondents requesting to issue fresh Community Certificate and for fresh Transfer Certificate changing her Community in the Community Certificate as Hindu Maravar Backward Class. In the Transfer Certificate, the fourth respondent has mentioned the community based on the application given by the petitioner.

6. In view of the fact that the petitioner has mentioned her community as Hindu Maravar Backward Class, the present writ petition seeking relief against the fourth respondent for change of her community in the Transfer Certificate and for issue of



fresh community certificate, is not maintainable. In the result, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (AE)

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Sub Assistant Registrar

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To

1.The Secretary to Government,
The Most Backward Class and Minorities Welfare
Department,
Fort St. George,
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Chennai-600 009.

2.The Commissioner,
The Tamil Nadu Most Backward Classes Commission
(MBC & DNC)
Chennai-620 005.

3.The Deputy Tahsildar,
Taluk Office,
Virudhunagar District.

4.The Principal,
Lady Doak College (Aided),
Madurai District-625 002.

+1CC to Mr.R.Suresh Kumar Advocate Sr.No.51869

+1CC to Mr.Isaac Mohanlal Advocate Sr.No.52174

+1CC to Spl.Government Pleader Sr.No.52141

GJM/GSV/PM/1.10.15-3P-8C

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