



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Petition (MD) No.22031 of 2015

M.Muthaiah

... Petitioner

Vs.

1. The Commissioner,
(Revenue Administration),
Chepauk, Chennai 5.

2. The Revenue Divisional Officer,
Dindigul Division,
Dindigul.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to complete the proceedings in Na.Ka.No.8281/2012/A3 on the file of the 2nd respondent for issuance of Malaivedan community certificate to the petitioner's children namely M.Malarkodi and M.Sylender within the period that may be stipulated by this Court.

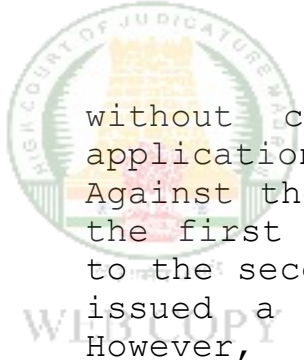
For Petitioner : Mr.B.Jeyakumar
For Respondents : Mr.M.Alagadevan,
Special Government Pleader.

ORDER

(Order of the Court was made by N.KIRUBAKARAN,J.)

The petitioner has come up with the above writ petition seeking a mandamus to direct the second respondent to complete the proceedings in Na.Ka.No.8281/2012/A3, dated 20.04.2015 in connection with the issuance of Malaivedan community certificate to the petitioner's children within a stipulated time.

2.According to the petitioner, he belongs to Malaivedan community which is classified as Scheduled Tribe in Dindigul District. He is having a son and daughter namely, M.Sylender and M.Malarkodi who are studying in the school. When the petitioner applied for issuance of Malaivedan community certificate enclosing the petitioner's brother's community certificate issued by the Tahsildar, Nilakottai in the year 1989, the second respondent



without considering the documents rejected the petitioner's application for issuance of community certificate on 13.02.2014. Against the said order, the petitioner preferred an appeal before the first respondent on 09.06.2014 who remanded the matter again to the second respondent. Pursuant to that, the second respondent issued a notice dated 23.03.2015 to appear for an enquiry. However, the petitioner could not appear on 06.04.2015. Subsequently, the matter was adjourned to 18.05.2015 on which date the petitioner appeared and produced all the community certificates. In spite of the production of documents and enquiry, so far no order has been passed by the second respondent.

3. Taking into consideration the petitioner already applied as early as in 2013 itself and order of rejection was passed which has been set aside by the appellate authority who remitted the matter to the second respondent, the second respondent is directed to pass appropriate orders with regard to the issuance of community certificate to the petitioner's children within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
(Revenue Administration),
Chepauk, Chennai 5.
2. The Revenue Divisional Officer,
Dindigul Division,
Dindigul.

+ 1 CC TO MR.B.JEYAKUMAR, ADVOCATE IN SR NO. 70607
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 70747

SMS

TE/AMF/ : 21/12/2015 : 2P/5C

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