



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2015

CORAM:

THE HONOURABLE DR. JUSTICE S.TAMILVANAN
and
THE HONOURABLE MR. JUSTICE V.S.RAVI

W.P. (MD) No.2344 of 2015

K.Gunasekaran ... Petitioner

Vs.

1.The Secretary,
Government of Tamil Nadu,
Adi Dravidar Tribunal Welfare Department,
Fort St.George, Chennai.

2.The District Collector,
Dindigul.

3.The Revenue Divisional Officer,
Palani, Dindigul District. ... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the third respondent in his proceedings in Na.Ka.No.8473/2013/A3, dated 16.07.2014 quash the same and consequently, direct the third respondent to issue Hindu Kattunayakkan community certificate of Scheduled Caste to the petitioner's two sons namely G.Giri Prasath and G.Miethun Kishore.

For Petitioner : Mr.R.Prabath
For Respondents : Mr.M.Alaguthevan, Spl.G.P.

O R D E R

(Order of this Court was made by S.TAMILVANAN,J.)

Seeking an order in the nature of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 16.07.2014 in Na.Ka.No.8473/2013/A3 passed by the Revenue Divisional Officer, Palani, Dindigul District, the third respondent herein, and to quash the same and also issue community certificate stating that the petitioner's sons namely, G.Giri Prasath and G.Miethun Kishore belonging to Hindu Kattunayakkan community of Scheduled Tribe.



2. Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

3. Learned counsel appearing for the petitioner drew the attention of this Court to page No.26 a copy of the letter addressed by Mr.K.Velusamy, Revenue Divisional Officer, Palani on 20.01.2012 to the District Collector, Dindigul District, stating that the petitioner herein belongs to Hindu Kattunayakkan community of Scheduled Tribe as per his enquiry. However, as per proceedings dated 16.07.2014 issued by Mr.A.Sundarraaj, Revenue Divisional Officer, Palani, it has been decided that the petitioner belongs to Hindu Tomban community and therefore, he is not entitled to get community certificate stating that he belongs to Hindu Kattunayakan community of Scheduled Tribe. As there is contradictory version by the two Revenue Divisional Officers of Palani Revenue Division, we find it just and reasonable to direct the District Collector, Dindigul, the second respondent herein, to find out the genuineness of the claim of the petitioner and pass appropriate orders.

4. Accordingly, the petitioner is directed to approach the District Collector, Dindigul, the second respondent herein, by submitting a written representation within a period of 10 days from the date of receipt of a copy of this order with necessary supporting documents and thereafter, the District Collector, Dindigul District, the second respondent herein, shall verify the genuineness of the claim of the petitioner and pass appropriate orders within a period of four weeks.

The Writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(C.O.,)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary, Government of Tamil Nadu,
Adi Dravidar Tribunal Welfare Department,
Fort St. George, Chennai.

2. The District Collector, Dindigul.

3. The Revenue Divisional Officer, Palani, Dindigul District.

+1cc to Mr.V.Palanichamy, Advocate, in SR. No.8311.

+1cc to Special Government Pleader, in SR No.9004.