

COMMON ORDER

(delivered by SATISH K.AGNIHOTRI, J.)

Mrs. A. Srijayanthi, learned Special Government Pleader, accepts notice for the respondent. With consent, these writ petitions are taken up for final disposal, at the admission stage itself.

2 The petitioners are siblings. While W.P. No.14936 of 2016 is filed seeking a writ of mandamus directing the respondent to issue Kurumans (ST) community certificate to the petitioner and his daughter D. Nirmala, based upon the community certificate already issued to the petitioner's brother, viz., O. Paramasivam, which has been duly verified and confirmed by the State Level Scrutiny Committee vide proceedings dated 06 March 2015, W.P. No.14937 of 2016 is filed seeking such certificate to the petitioner, his children, viz., K. Sivakumar and K. Chitra and his grandson viz., J. Jaiwin, based upon the very same proceedings dated 06 March 2015.

3 The petitioners, claiming to be belonging to Kurumans (ST) community, made applications to the respondent on 04 November 2015 seeking issuance of such certificate, as aforestated. Pursuant thereto, vide enquiry notices dated 10 December 2015, the petitioners were called for an enquiry on 14 December 2015. Accordingly, the petitioners appeared for the enquiry with the required documents, including the proceedings of the State Level Scrutiny Committee dated 06 March 2015, confirming the community status of their brother, viz., O. Paramasivam. However, subsequently, there has been no progress in the matter. Hence, the instant writ petitions seeking the aforestated relief.

4 The learned counsel for the petitioners submits that though the petitioners had furnished all the required documents in support of their claim, when they attended the enquiry on 14 December 2015 pursuant to the enquiry notice dated 10 December 2015, no orders have been passed on their applications, contrary to the time schedule fixed by the Supreme Court in Kumari Madhuri Patil and another vs. Additional Commissioner, Tribal Development and Others¹ and also by a Division Bench of this Court in G. Venkitasamy and V.Balasubramaniam vs. The Chairman, State Level Scrutiny Committee and Secretary to Government, Adi Dravidar and Tribal Welfare Department, Namakkal Kavingar Maaligai, Fort St. George, Chennai - 9².

1 (1996) 4 SCC 241

2 2016-1-L.W. 289 : (2016) 1 MLJ 606

5 The learned Special Government Pleader appearing for the respondent submits that the petitioners' applications will be examined in accordance with law and on their own merits, in the light of the judgment in G.Venkitasamy and V.Balasubramaniam (supra) and particularly, keeping in view the community status of the petitioners' brother, which stands duly verified and confirmed by the State Level Scrutiny Committee and a decision will be taken, within a period of four weeks.

6 In view of the aforestated submission of the learned Special Government Pleader, it is ordered accordingly. Needless to state that it is open to the authorities to examine the relationship of the petitioners with the said O. Paramasivam, who, according to the petitioners, is their own brother.

The writ petitions stand disposed of with the above observations. Costs made easy.

cad

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The Revenue Divisional Officer
Dharmapuri, Dharmapuri District.

+ 2 ccs to Mr.S.Doraisamy, Advocate Sr 25258, 25259

+ 1 cc to The Govt.Pleader, Sr 25451

KR/27/4/16

W.P. Nos.14936 & 14937 of 2016

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