

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 4.11.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.Nos.14786 & 14787 of 2015

R.Saravanan

Petitioner in both WPS

Versus

The Revenue Divisional Officer,
Harur, Dharmapuri District. Respondent in both Wps

Prayer: Writ petitions filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records relating to the order of rejection passed in proceedings in Pa.Mu.7860/2010(A1) and 7863/2010(A1) respectively dated 13.4.2015 on the file of the respondent, quash the same and direct the respondent to issue community certificate to the daughters of the petitioner viz. S.Srinithi and S.Sanmathi respectively that they belong to Kurumans (ST) community based upon the community certificate already issued to the petitioner and his family members.

For petitioner : Mr.S.Doraisamy

For Respondent : Mr.P.Karthikeyan, Government Advocate

COMMON ORDER

(Order of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the petitioner and Mr.P.Karthikeyan, learned Government Advocate, who takes notice on behalf of the respondent.

2. The petitioner seeks for issuance of a writ of certiorarified mandamus calling for the records relating to the order of rejection passed in proceedings in Pa.Mu.7860/2010(A1) and 7863/2010(A1) respectively dated 13.4.2015 on the file of the respondent, quash the same and direct the respondent to issue community certificate to the daughters of the petitioner viz. S.Srinithi and S.Sanmathi respectively that they belong to Kurumans (ST) community based upon the community certificate already issued to the petitioner and his family members.

3. The petitioner claims that himself and his family members belong to Kurumans (ST) Community and he, being holder of such community certificate issued by the Revenue Divisional Officer, Dharmapuri, preferred applications to the respondent seeking such certificate for her daughters viz., S.Srinithi and S.Sanmathi, but, however, the same were rejected by the respondent stating that the petitioner belongs to only Kurumba (MBC) Community and not Kurumans (ST) Community and hence, the present writ petitions have been filed.

4. In the light of the Government Order issued in G.O.Ms.No.147, Revenue (RA-3(2) Department dated 17.3.2016, since the petitioner has got a remedy of appeal as against the impugned order of rejection, we direct the petitioner to approach the appellate authority/District Collector, Dharmapuri District with regard to the issuance of community certificate to the daughters of the petitioner that they belong to Kurumans (ST) community, within one month from the date of receipt of a copy of this order and it is for the appellate authority/District Collector, Dharmapuri to take a decision in accordance with law within a further period of two months therefrom, after affording opportunity to the petitioner. With this direction, the writ petitions are disposed of. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

ssk.

To:

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

2. The District Collector
Dharmapuri

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