

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI

and

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

W.P. No.15908 of 2016

C. Chinnasamy

Petitioner

Vs.

The Revenue Divisional Officer
Dharmapuri

Respondent

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondent to consider the petitioner's representation dated 09.02.2015 for issuance of Kurumans (ST) community certificate, in the light of anthropological report dated 18.02.2015.

For petitioner Mr. M. Ravi

For respondent Mr. P.S. Sivashanmugasundaram
Special Government Pleader

ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

Mr. P.S. Sivashanmugasundaram, learned Special Government Pleader, accepts notice for the respondent. With consent, the writ petition is taken up for final disposal, at the admission stage itself.

2 By this writ petition, the petitioner seeks a writ of mandamus directing the respondent to consider his application dated 09 February 2015 for issuance of Kurumans (ST) community certificate, in the light of anthropological report dated 18 February 2015.

3 According to the learned counsel for the petitioner, claiming to be a member of Kurumans (ST) community, the

petitioner made an application to the respondent on 09 February 2015, seeking issuance of such certificate to himself and his children, viz., C. Anumandhan and Jayaprakash. However, no action has been taken by the authorities pursuant to his application. Hence, this writ petition for the aforestated relief.

4 At this juncture, it is pertinent to point out that a Division Bench of this Court, by order dated 13 February 2014 rendered in W.P. No.11977 of 2012, had indicated that the cultural report on Kurumans is required to be considered, when the application of an applicant seeking issuance of community certificate is examined.

5 Further, recently, 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 - 9¹, a Division Bench of this Court, wherein, one of us (Satish K.Agnihotri, J.) was a Member, while dealing with the subject of issuance of community certificates, laid down certain guidelines in sync with the directions issued by the Supreme Court in Kumari Madhuri Patil and another vs. Additional Commissioner, Tribal Development and Others².

6 Given the fact that the petitioner's application has been kept pending since February 2015, we direct the respondent to consider and pass appropriate orders on the petitioner's application dated 09 February 2015, on its own merits and in accordance with law, considering the anthropological report on Kurumans dated 18 February 2015 and in the light of the Division Bench judgment of this Court in G.Venkitasamy and V. Balasubramaniam (supra), within a period of six weeks from the date of receipt of a copy of this order.

The writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

cad

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

2 (1996) 4 SCC 241

To

The Revenue Divisional Officer
Dharmapuri

1 cc to Mr.M.Ravi, Advocate, sr.27134

1 cc to Government Pleader, sr.27382

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sv co
kra 27.05.2016



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