

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Writ Petition No.24636 of 2014

M.Madesh

...Petitioner

Vs.

The Sub-Collector,
Hosur,
Krishnagiri District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the rejection order of the respondent in Na.Ka.1619/2013 (A4) dated 12.08.2014 quash the same and direct the respondent to issue community certificate to the petitioner and his children viz., 1) M.Anitha and 2) M.Ganeshamoorthy that he belongs to "Kurichchan" (ST) Community.

For Petitioner : Mr.S.Doraisamy

For Respondent : Mrs.A.Srijayanthi
Special Government Pleader

O R D E R

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

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondent.

2.This is the third round of litigation with regard to issuance of community certificate submitted by the petitioner to declare that he belongs to Kurichchan (ST) community. Though this Court had, on both the previous occasions, remanded the matter and directed the authorities to hear the petitioner and, thereafter pass fresh orders, however, the respondent authorities, without following the directions issued by this Court had rejected the application submitted by the petitioner without considering the documents submitted by him for issuance

of community certificate to the petitioner. Hence, the present petition has been filed with the relief as stated supra.

3.Learned counsel for the State submits that this Court may direct the petitioner to approach the Appellate Forum to redress his grievance and an order to that effect may be passed.

4.In the above circumstances and considering the averments raised in the counter, this Court is of the considered view that it would be suffice to direct the petitioner to approach the District Caste Verification Committee, headed by the District Collector, who will afford an opportunity of personal hearing to the petitioner and, thereafter, decide the matter in accordance with law.

5.Accordingly, this Court directs the petitioner to approach the Appellate Forum wherein the petitioner shall submit all the relevant documents in support of his contention so as to enable the Appellate Forum to take a decision in accordance with law. If necessary, the Appellate Forum shall conduct an elaborate enquiry by affording an opportunity of personal hearing to the petitioner. Further, the petitioner is directed to appear before the Appellate Authority/District Caste Verification Committee headed by the District Collector within a period of one month from the date of receipt of a copy of this order and the Appellate Authority is directed to pass appropriate orders on merits and in accordance with law within a period of two months thereafter.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

The Sub-Collector,
Hosur,
Krishnagiri District.

+1cc to Mr.S.Doraisamy, Advocate Sr.30075
+1cc to the Government pleader Sr.30209

W.P.No.24636 of 2014

GJ[co]
srg 13/06/2016